



85 E Street  
South Portland, Maine 04106  
Phone: 207.767.6440  
Fax : 207.767.8158  
Email [research@marketdecisions.com](mailto:research@marketdecisions.com)  
[www.marketdecisions.com](http://www.marketdecisions.com)

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# Research Report

## Maine State Planning Office

### Comprehensive Planning and Growth Management Interviews

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Prepared by:

Curtis A. Mildner, Senior Consultant  
[cmildner@marketdecisions.com](mailto:cmildner@marketdecisions.com)

Jennifer MacBride, Project Manager  
[jenm@marketdecisions.com](mailto:jenm@marketdecisions.com)

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## Key Findings

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### 1. The Need for Growth Management

There was consensus that planning by Maine communities *and* the state is necessary and important. Some of the reasons cited for are that it:

- Encourages more cost effective government and provision of services;
- Provides a blueprint for public investment, particularly by the Department of Transportation;
- Encourages better protection for natural resources;
- Encourages regional thinking;
- Forces towns to struggle with important issues. Conversely, towns will be overwhelmed by growth or change if they do not plan for it;
- Assures that the private market takes into account the public interest in physical, environmental, fiscal, and community character aspects of quality of life.

Most respondents also valued the process of planning itself, which they often defined a community coming together to identify what is important to their current quality of life, to consider implications of important trends and to establish priorities for the future.

One respondent suggested that the name of the act is unfortunate. It should suggest comprehensive planning rather than just growth management.

### 2. State Involvement in Growth Management

There was no consensus for role of the “state” in growth management planning. Many thought that the SPO should serve as a technical resource and coach rather than as a regulator of plan content.

Many thought that in the Growth Management Act, communities themselves were given the responsibilities and authority to develop plans. The state established the ten areas that towns must address and then it is up to the towns as to how to do this. Some respondents challenged the state to develop an overall state growth management plan, set goals, make investments according to that plan and provide incentives for communities to follow this plan. They argued that a state plan is necessary to guide regional efforts and without such a plan, each municipality acts as a separate and independent entity. Some found it hypocritical that the state requires comprehensive planning at the community level, but does not have a comprehensive state plan.

Many respondents wanted to limit the regulatory role of the State Planning Office over local plans. Some were not willing to accept the Office’s oversight role and others said that it has not preformed well in this role. Even if the Office was to shift to a more upfront and proactive approach, some doubted that there would be enough staff to effectively implement this. Rather, it was suggested that the Office

focus on providing technical guidance and support to local communities, issuing guidelines and collecting data.

### **3. Data Gathering and Analysis**

Most respondents said that data gathering is an important step in the planning process. Some added that this step is not nearly as onerous as it is made out to be, especially since so much data is now available electronically.

Several respondents said that requirements to “inventory” local information requires disproportionate amounts of time and creative energy that should be focused on more important issues, such as setting priorities for the plan. This means that volunteers get bogged down early and are lost for later efforts, when their local knowledge and planning are needed.

Respondents had many suggestions to alleviate this problem.

- Reduce the amount of information expected or required – especially for smaller communities;
- Focus data gathering on issues relevant to a specific community and require less effort towards gathering data that is not relevant;
- Charge regional planning entities with gathering and maintaining regional data and providing analysis for individual towns;
- Offer SPO data packages available early in the planning process. Standardize what should be in an inventory;
- Charge state agencies with making data readily available to communities.

There was strong support for regional data gathering, and recognition that the data reviewed for one community plan often overlapped the data gathered for a neighboring town. A regional entity could keep relevant data for all the local communities to use. Some respondents also thought that regional entities were much better able than a state agency to identify important regional data and to sort out what is relevant and important to the local communities in their area. In addition, respondents noted that many issues such as housing, water and transportation were best addressed on a regional level. They also thought that regional data collection and analysis would encourage more cooperation between communities that could lead to better regional planning.

An important component of the planning process is the review and analysis of data. Local committees are inexperienced at both prioritizing data needs and analyzing data. They can be overwhelmed by the volume of data and find it difficult to navigate this stage of the process. It was suggested that a regional organization not only be the keeper of the data but also be the “trend-watchers” and help to identify relevant data and issues of concern to communities.

While most respondents supported regional data gathering, their definitions of “region” varied. There was little support for county-based regional boundaries. Suggested alternatives included service centers adjoining communities with common interests or regional planning councils. Regional Planning Councils (RPCs) were often seen as the logical provider and keeper of regional data.

Despite the consensus for more of a regional approach to planning, some were uncomfortable with regional oversight of local plans. Respondents recognized that decision-making is still local, so in the end, the “buy in” of communities was essential. Even data would need a local check to see that analysis and conclusions were grounded in local realities.

#### **4. Plan Reviews**

Many, but not all respondents saw reviews as the most onerous and contentious part of the planning process. Rightly or wrongly, the State Planning Office is generally blamed for the difficulties of this process.

Complaints about the SPO review process included:

- Failing to differentiate major plan inconsistencies from minor ones;
- Finding inconsistencies at the end of a long process rather than identifying them early on in the process;
- Identifying inconsistencies that participants perceived to be related to individual preferences of examiners, not legislation or rules;
- Requiring plan elements that may not be based in the law or regulations or may reflect changing norms;
- Failing to review plans in a timely fashion.

Not all the respondents found fault with SPO for the review process. Some had never had a problem with it. One respondent suggested that the problem was that the state was trying to get communities to address what are really statewide problems.

Suggestions for the SPO included the following:

- Define goals or requirements upfront;
- Review the data analysis and inventories ahead of time;
- More timely reviews;
- Provide model approaches and suggestions in advance rather than reviews after;
- Recognize that different communities have different capacities, a sliding scale for amount of effort based on size and capacity;
- Let communities decide which issues are relevant to the plan and which are not;
- Eliminate the expectation that all plans address all elements to the same level of detail;
- Focus articulation of deficiencies on big picture items;
- Meet in person to discuss inconsistencies before reviewing plans;
- If changes are required, they need to be clearly specified and suggestions given on how they can be addressed.

## 5. Alternative Approaches to Meeting Plan Requirements

### Make plans more formula based, with fill in the blanks and multiple-choice options.

This idea was flatly rejected by most respondents. Most respondents were supportive of planning and formulaic plans were seen as eliminating the core value of the planning process.

### Adjust plan requirements according to the characteristics of that town

This approach appeared to be a good fit with what respondents said in response to other questions. It would allow a community to focus on what was important in their situation. It would eliminate fruitless efforts of towns attempting to address issues that are not relevant to them. And it would put SPO in a proactive vs. reactive role. This upfront review and agreement between towns and reviewers was seen as potentially reducing conflict and waste. One suggested variant of this approach was requiring different levels of planning for the circumstance, for example, more rigorous plans for rapidly growing areas.

Some respondents thought that this flexibility already existed within the current law. The SPO could find that one of the ten major plan requirements was not really relevant (designation of a growth area in a town that was declining in population, for example) and find a plan consistent without strictly meeting the requirement. However, while interest in flexibility was positive, it was not seen as a panacea. It appears that the experience of respondents leads them to be skeptical of the State Planning Office, most particularly its capabilities and its interests. They were unsure that the Office could serve as an effective “advisor.” They noted that for this to work there would need to be good communication between the Office and communities and there would need to be flexibility on the part of both. It would also require that the Office be properly staffed for this function. Finally, it would require that SPO staff stick to state rules and legislative intent rather than some other agenda.

### Streamline plans by designating some aspects as essential or core and others elements as non-essential or optional items

Again, it would appear that this suggestion was a good fit with responses to other questions. Most notably, respondents wanted plans that were tailored to the needs of a specific community. However, there was still significant skepticism. Many thought that the ten objectives were the right ones, that’s what made it “comprehensive” planning. If a community did not at least consider each one of these, the value of planning would be reduced.

Another rub with this idea appeared to be who or what organization would designate core and non-core items and how this would be decided. Respondents were skeptical that a state organization would be knowledgeable enough or have the staffing to do this properly. Some thought that this might be done arbitrarily or based on agendas not grounded in law or regulation. In a repeat of the tug of war between state and local jurisdiction mentioned earlier, some suggested it should be the town that identified core and non-core items.

Some suggested that the current approach was fine, it was just that common sense needed to be applied. All ten elements of the legislation needed to be addressed in each plan but not to the same degree. The difference in large communities versus small communities, fast growing ones versus slow growing ones, would manifest itself in the amount of detail in the plan. Presumably, some elements might be addressed by simply stating why they were not relevant to a particular community's situation.

One respondent suggested an interesting variation of this approach: basing plan requirements on regions. That is, high growth areas (presumably as defined objectively) would be required to have more detail and cover different elements than non-growth areas. Plan requirements would be established specific to each region.

## 6. Affordable Housing

Most respondents were unsupportive of the idea to more directly encourage "affordable housing" by establishing a state requirement for it. They thought that the issue was not the requirement; it was what to do about it. Communities need to be told what tools to use and how to use them. On an even more practical level, some respondents noted that most towns were powerless to stop market forces. Most new development occurs one house at a time, here and there across a town. The large scale developments where affordable housing can be required are few and far between. Therefore, designating areas for affordable housing in a plan does not assure that it will be built.

One respondent supported specific requirements, however, by noting that these requirements were the only way to enforce important values. This respondent pointed out that if shore land zoning were to be attempted through the comprehensive planning process, there would be no shore land zoning today. Still, another respondent suggested the shore land zoning comparison was not appropriate as it is easier to regulate what can't be done, than what should be done. Some participants suggested that affordable housing would be more appropriately addressed on a regional level. In this way, affordable housing could be placed closer to services and jobs, rather than dispersed throughout rural areas. However, one respondent thought that a regional approach was simply a red herring; the real issue was how to accomplish it at all.

## 7. Regional Planning

Most respondents were highly supportive of regional planning. They noted that many issues cross borders and community plans focus primarily on what happens within a border. Not only did they see that some aspects of planning would be better handled on a regional level, but some aspects should *primarily* be handled at a regional level. These aspects included:

- Affordable housing
- Solid waste
- Natural resources

- Water and water sheds
- Transportation.
- Economic Development

Land use planning was seen as the province of local towns and municipalities, as citizens were likely to see less value to regional cooperation on this issue and feel more reluctance to give up control.

Most respondents saw cooperative regional efforts as offering some clear practical benefits, primarily more efficient data compilation and analysis.

Most often the Regional Planning Councils (RPCs) or Councils of Government (COG) were seen as the logical regional planning agencies and the logical home for development of a regional plans. However, it was also pointed out that some issues do not fit neatly into one region and regions appropriate for one issue may be different than for another. Regional cooperation on some issues already occurs but the members of these regions may not fit into neat or consistent boundaries.

The political effectiveness of regional organizations was disputed. Many saw regional organizations as lacking the power to effect real change, but some thought that they could be effective precisely because they could not dictate to communities. Communities would have to decide for themselves whether or not to buy into the regional efforts and through participation in plan development they would be more likely to “own” a regional plan. Thus, it would be desirable for communities to buy into regional planning because it would better meet their needs. Most participants rejected a state role in requiring regional planning. However, if the state were to base its investment on regional plans, there would be more incentive for communities to work together and agree on a plan.

Some respondents noted that regional planning is not a substitute for local planning efforts; local control is the political reality. However, many liked the idea of exempting towns from planning for aspects that were already covered in a regional plan. This would save communities from time consuming and expensive data collection and analysis that would be done better on a regional basis anyway.

The lack of resources was seen as a significant obstacle to regional plans. Many doubted that RPCs have the staff to take on a greater role. Another obstacle was the lack of any political structure for citizen feedback on regional plans. Votes are tallied by towns, not regions.

Some respondents thought that a statewide plan should precede a regional plan. Such a plan would provide a good example and provide direction to regional plans by identifying priorities.

Some respondents thought that reduction of reliance on local property taxes and revenue sharing was necessary to encourage changes in planning. As it is now, the municipalities have the ultimate control, money. Burdens are shifted to service center communities without any funding mechanism.



## **8. Public Review of for Major Projects with Regional Impacts**

Most respondents agreed that impacts of major projects needed to be considered and addressed on a regional or state level. While major regional projects can't be planned for, respondents thought that they should be consistent with regional and local plans. Thus, a regional plan provides a basis for evaluation of unplanned major regional actions.

Most recognized that major regional projects were by nature ad hoc. Still, state and local actions need to be coordinated with the support of regional entities. It was thought that existing regulations placed many larger projects under some level of jurisdiction of organizations such as LURC, DOT and DEP and site location regulations, so it was unclear what new regulations were necessary.

## **9. Role of Planning Consultants**

Certification of planning consultants or requiring that planning consultants be state employees or other types of state control of planning consultants was nixed by all respondents. They recognized that while the SPO guides what should be in a plan, the community develops the plan and must "own" the planning process. Selection of a consultant should be part of this process as a community needs a consultant who they believe in and who they believe is working for them. Communities already have the option of choosing a planner that is certified through industry organizations, and there are many qualified and experienced consultants available. If SPO requirements for a plan are not met, this may be intentional on the part of the community, the result of requirements that shouldn't apply to the situation or remedied by more upfront advice from the SPO.

## **10. Plan Implementation**

Most respondents agreed that there was a gap between planning and implementation of the plans.

Many respondents thought that implementation suffered when communities tried to get all the pieces approved at once. It was suggested that implementation would be easier if it were broken down into pieces and addressed a bit at a time. Immediate approval of all aspects is not realistic and should not be the goal. It was suggested that if a plan truly reflected the wishes of the community that it will not go away; it will become enacted but over time. Some respondents suggested reviewing data and acting immediately on the aspects that can be agreed on rather than waiting for a whole completed plan.

Some respondents noted that there is a lack of local capacity and technical assistance available to turn plans into ordinances. Adequate funding for this phase was seen as a problem. One respondent noted that the energy put into the laborious collection of data by planning committees might be better reserved for the implementation phase. That is, use this resource wisely at the beginning and there will be community members with the will to work on implementation at the end.

## **11. Planning Councils**

Regional planning councils are viewed primarily as technical resources, useful for mapping, data collection, draft ordinances, transportation planning, economic development and land preservation advice. They generally have good relationships to the communities they serve. They understand local issues. They are seen as the creation of the communities and that is important for credibility. In some cases, they are good intermediaries between state agencies and local communities. However, the level of competency can vary considerably from council to council or there may be too few for the workload.

They are not seen as being effective at comprehensive planning or regional planning. Budgets are quite limited and that limits the amount of assistance that they can provide.

## **12. State Planning Office**

The State Planning Office is perceived as having smart, hardworking, dedicated and committed people. Respondents said that they do a good job at collecting information in a central place. SPO does a good job on policy studies and in looking at what working in other states and suggesting new tools for towns to use. They do their job of reviewing plans to standards.

Respondents suggested that SPO interact more with towns, provide more assistance, and be clearer about requirements and expectations upfront. SPO was seen as being best at policy and advice when it is out front.

Most respondents wanted the Office to be more advisory and less regulatory. They suggested that they not be the “stick” or “cop.” Respondents also suggested that the office not superimpose conditions or approaches (i.e., great American neighborhood) on towns. Rather, the Office should be a neutral support provider. The SPO should help build planning capacity at the local level. Many respondents thought that the Office was under funded and has too small a staff to handle 400 municipalities.

The SPO was seen as having a primary role in planning for state government. Respondents thought it should be working on the state’s blue print that determines policies and investments. Thus, the state needs a broader and bigger view that “connects the dots” of activities between agencies.

## Methodology

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This research consisted of in-depth telephone interviews with professional planners.

The State Planning Office provided the sample of thirty six specialists on comprehensive planning who were either town/city planners, consultants, directors of regional planning commission, directors of council of governments, directors of economic planning, a land use attorney, or a director of non profit organization. These respondents had many years of experience often on both sides of comprehensive planning as consultants as a regional or town employees.

Twenty interviews were conducted during the period of October 21<sup>st</sup> - November 3<sup>rd</sup>, 2005.

All potential respondents on the list were sent an outline of the questions prior to the interview. The names were randomized and then called in order of selection; there was no effort to achieve a quota or balance of job responsibilities among respondents. All individuals contacted by telephone chose to participate. There were no refusals to complete the interview.

The breakdown of the twenty completed interviews by professional designation was as follows:

- 6 city or town planners
- 4 consultants to towns for comprehensive plans assistance
- 4 Directors of Regional Planning Commissions
- 2 Directors of Council of Governments
- 2 Directors of Economic Planning
- 1 Attorney
- 1 Director of Non profit Organization

Since respondents were selected randomly, there was no effort to conduct interviews to achieve a geographic balance. However, most respondents had experiences outside their current location and the respondents represented a range of locations across the state:

- Androscoggin County
- Aroostook County (2)
- Cumberland County (3)
- Hancock County
- Kennebec County
- Knox County
- Penobscot County (2)
- Portland and vicinity (3)
- Sagadahoc
- Somerset County
- York County (3)
- Washington County

An initial test interview was done on October 14<sup>th</sup> and revisions were made to the survey. Then eight additional interviews were conducted prior to a second revision in the instrument, which was completed on October 24<sup>th</sup>. Eleven interviews were conducted using the revised format. Since questions in the surveys were quite similar, they are all grouped together in the analysis. Where a question was not asked of a respondent (primarily due to changes in the survey) or respondent did not respond (primarily due to to redundant question or responses) this is so noted.

All interviews were conducted by one senior interviewer, Dr. Peter Hackett of Market Decisions. These were qualitative interviews, designed to spur discussion rather than to provide discreet quantitative results. Respondents had a lot to say. The twenty completed interviews ranged in length from a low of 24 minutes to a high of 80 minutes with the average time of completion being 51 minutes.

## Questions and Detailed Responses

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### 1. First of all can you tell me a bit about your involvement in comprehensive planning?

*I provide planning consulting services for municipalities and in that role I have worked with a number of Maine communities. – Planning Consultant 1*

*I have been doing planning for two decades. I have been a city planning coordinator for comprehensive planning. – Director of Development 1*

*I have done a large number of plans for small and medium sized towns over the years. I worked with the state on establishing the rules for the Growth Management Act. – Planning Consultant 2*

*I was around at the beginning as a part of the original Growth Management Act and have done a large number of plans for mid-size towns and cities throughout Maine. – Director of Development 2*

*I worked at the State Planning Office and I still work on comp plans and ordinances. – Attorney 1*

*I have been a professional land use planner and have been involved as both a town and regional planning commission employee in assisting towns to develop and implement comprehensive plans. – Town Planner 1*

*I have been working with communities and comprehensive plans from New Hampshire and towns in Maine. I have been involved in writing comprehensive plans at the county level. – Director of Planning Commission 1*

*I have been doing comprehensive plans as a consultant in suburban and in rural service centers/towns in the outlying areas. – Planning Consultant 3*

*I reviewed plans at the SPO level. I have prepared them as a Regional Council representative, and a consultant to many towns. I have done comprehensive planning in other states. – Member of Planning Commission 1*

*I have many years of experience in planning and land use. I am presently working on a comprehensive plan, have also worked on updating plans. – Town Planner 2*

*I have worked as a town planner in this community for many years and prior to that I worked as a planner in another state. – Town Planner 3*

*I have prepared more than a couple dozen plans. – Planning Consultant 4*

*I started working as a regional planner, then did consulting with a good number of towns and worked at SPO. – Director of Development 3*

*I was in management of a planning commission and I worked with a number of smaller towns on their plans. . – Town Planner 4*

*I have been involved as a consultant to a number of towns and I've worked in a regional council– Member of Council of Governments 1*

*I have been involved since the inception of the law as a town planner and at a planning commission. I have worked about a dozen plans. – Planning Director 1*

*I did comp plans for a consultant. and I have worked in several medium to larger towns in several regions doing comprehensive plan updates as needed. – Town Planner 5*

*I was a land use planner in the Maine and I have worked on many comprehensive plans and ordinances. I have also been in management of an agency. – Director of Development 4*

*I draft, review, and do permit reviews and ordinances. I have worked on about 20 comprehensive plans. – Member of Planning Commission 2*

*I have worked on several comprehensive plans over the years and have done ordinance writing and implementation. – Town Planner 6*

**2. Is there a need for Growth Management in the state? Why? Should the state be involved? How?**

*Yes, and growth management is different from comprehensive planning. There is a need for it because the pattern of growth has other implications for both municipalities and the state. – Planning Consultant 1*

*Yes, there is a need for growth management, even here (northern Maine). We see the ramifications of what happens if things are not done to an established plan. These things have a way of interfering with progress. Non conforming practices create problems. Block wide, city wide, cost containment, all of that comes from growth management which is in the best interests of the community. - Director of Development 1*

*Definitely there is a need. The towns need the capability to deal with growth. Towns have been threatened and I have worked with a large number of them and they need to plan for it. If we do not do it, we will be overwhelmed if we don't plan for it. SPO should be much more about guidance, support and technical assistance. They need to issue guidelines, questionnaires and compile the data so it is usable. They need to go out and speak with people – Planning Consultant 2*

*Yes, communities should be absolutely committed to it but I am not sure about the level of implementation. In the late 1980's, many communities underwent a lot of change in a tough economic period and some grew during this period. How the state should be involved is the million dollar question. We have never seen the state emerge with system comparing goals and guidelines with things being*

*fed into an overall state policy. All the reviews in towns get approved by the towns and then delayed and turned back too often in terms of lack of consistency with the state's guidelines, which may not fit the towns goals or their situation in terms of resources. – Director of Development 2*

*Yea, I think the state should be involved in helping towns solve these problems, encourage them and bring them new solutions and help them towards rationalization. There is a role for the state but it may not be the role they have right now. They should be bringing the big picture and the new ideas to the towns. They need to be viewed as a resource and a helper and an authority and not someone just there to grade their papers, so to speak, in the process. – Attorney 1*

*Yes, there is a need for growth management in every state. This was a part of the message that we presented in the legislative hearings back in 1987. There needs to be a very clear statute directing municipalities to undertake planning and growth management. There should be in that statute a clear recitation on the state's goals, along with benefits to municipalities for conforming to these state goals. There should be a commitment from the state to insure that it is not a one way street that they will cooperate and will comply with municipal goals and policies. There should be at some level, regional, county or town, that some of the issues to be developed relate to the region as well as to their own municipality. – Town Planner 1*

*Yes, there is a need for growth management. Focusing on this county, we are having growth related problems that they cannot deal with it themselves. In other areas there are different problems including population decline. Yes, the state should be involved in trying to help communities try to understand the bigger picture of what is going on, not just in their town, as there are problems across municipal boundaries and how communities are affected. And also how state policies affect growth so that there should be regional involvement in cases where there is greater than a municipal impact. As to the how they should do it...if the state remains heavy on the regulatory side it alienates towns from participating in the process. There are two ways the state can be involved and one is to assist in the advisory capacity. The second is creating incentives for participating in planning in terms of state infrastructure grants and other state grants and various rewards for towns rather than making it mandatory. – Director of Planning Commission 1*

*Definitely there is a need for it because it provides leadership with respect to the future of the state as a vision, and a structure which has to do with providing more cost effective government and provisions of government services. It obviously encourages regional planning and better protection for natural resources. It also fosters consistency in planning and fosters good planning in theory. I have not had too many complaints on how the growth management act has been structured. I stay connected with the planning community even though I am in rural areas working on my own. The state provides the structure and the most recent changes in the law. Consistent comprehensive plan, if you are doing zoning, building caps, impact fees, is a big improvement in the law as zoning is really quite beyond small rural towns. Planning is a process in which we cannot expect the same kind of efforts in all towns. The process of a comprehensive*

*planning is a lot for them to deal with and this gives them an education. – Planning Consultant 3*

*Yes, because growth willy nilly is ineffective in terms of providing services. It can harm our landscape and to have a productive impact on our rural economy. Yes, there is a role for the state to provide an overarching perspective. – Member of Planning Commission 1*

*Yes, a need is there for growth management in the state. It promotes the efficient allocation of limited resources, it promotes the preservation of community character. It also promotes legitimate rather than arbitrary regulation of private property. Yes, SPO has a role. The SPO needs to embrace its role as a regulatory agency and stop pretending that it isn't. The state needs to be involved as Paul Zucker once said, "You get what you expect when you inspect." If you have state goals that you want towns to incorporate in their comprehensive plans, you need to check those plans to make sure those state goals are in there. If you do not think that there is anyone looking, they will not do them. Those goals hit on some of the most challenging planning issues. When you have difficult things sometimes you need a little bit of a nudge. – Town Planner 2*

*Yes, there is a need for growth management in Maine. We are seeing heavy growth in southern Maine, maybe less so up north. I have always felt and still do that towns should decide themselves how they should grow rather than just reacting to development coming in. They should take a proactive approach to thinking about where and how they want to grow. It is a home rule in Maine and I do believe in that and they should decide how they want to grow. Yes, the state needs to be involved but they also need to be sensitive to the fact that this is a home rule state. The state itself should have a plan itself. It would be a good education for a state to develop a statewide plan with policies and strategies just like towns are trying to do. This would be a good process for the state and it would help them learn and understand planning and what towns go through. It would help them better understand planning and to get the other departments involved in being consistent with the state plan. A statewide thought process on how the state wants to grow. – Town Planner 3*

*Yes, there is a need. The state review process on the positive side is, of course, the funding, setting some standards. Generally when we go through the review process you end up with a better plan than you would have had before the review, at least in terms of the big issues. It perhaps forces some towns struggling with issues that would not have occurred otherwise, which has a benefit. There is a tendency to take the course of least resistance in doing a comprehensive plan. Having the statute is good and it has really helped. Starting with the legislation is critical and having some oversight and funding certainly helps. Also, having the review process and standards, as it is good to have a third party with some oversight looking over how public funds are spent and critiquing whether you have accomplished what the law says you should have. All of that is good. – Planning Consultant 4*

*Well, I say yes. The question is not that clear. It must mean whether or not there is a need for public sector or a public policy in steering how growth is managed. This is in the broadest sense; my quick reason why is that there is a public*



interest in the physical, environmental, fiscal, and community character aspects of quality of life in the state that the private market left to its own does not take those composite public values into account and presuming that is the alternative to some kind of public growth management. (Should the state be involved?) State government is a separate question. Absent is some form of public values based steerage. There is a great risk to the overall public interest. (What do you see the state role as?). Overall, state policy regarding the goals of growth management in the state and the act was designed to look at the appropriate goals for what we are trying to achieve in terms of state policy by the legislature to achieve overall, which is a legislative matter. Secondly, the instruments of the state in terms of how agencies do their business in regard to investments. This needs to be governed by the state at a minimum. Then there is the difficult question of jurisdictional authority on who should be worrying about what. The state in essence has the overall responsibility and municipalities and counties derived their authority from them and the state has the responsibility to define and coordinate those jurisdictional roles. At a minimum, the state is responsible and has the authority to make these kinds of decisions. I am assuming that you are limiting your scope to the unorganized territories or just the organized. – Director of Development 3

I do not think the process and the state statute should be called growth management. It ought to be comprehensive planning law or statute. Just the fact that is called growth management gives it the wrong connotation. In the town I am in we have had no population growth in the last several years and it is actually negative. Does that mean we do not need to do this but call it something else? Yes, (the state should be involved) if a city or town in the state is going to regulate what we do with our property (zoning), the only reason that the municipality has that right is that it is provided from the state legislature. Communities need to think long and hard on what we do with our property. Thinking about it long and hard is what we consider comprehensive planning. And if the guarantors of this authority, the state legislature, should want strings attached, that is fine. Should there be state involvement, yes, but are we doing it right? I do not know. Another point which is important and this is if a municipality has going through it a utility, or a road, which is a facility of statewide importance, the municipality should not be allowed to muck it all up. The state should be able to step in and say that you are not doing a proper job in managing our state resource. Therefore, do it right or we will take away your right to muck it up. In one town, several years ago, there was a corridor study being done for a road on which there was a lot of traffic. One town on this road does not do a good job of handling the highway through their community as it is all commercial development. The state funded a study to increase the use of the road in terms of widening it to increase road capacity. This might not have been done if that community was doing a better job of managing the frontage of that road. It does not make sense that we are going to spend our federal and state tax dollars that the community should have taken care of it themselves. That is another place where the state should step in. And much like shore land zoning, if you do not do it right, we will impose it on you. – Town Planner 4

Yes, that is why there needs to be an enabling framework at the minimum because planning is a means to protect the natural resources of the state. There needs to be a certain amount of cooperation within the paradigm of home rule so

*that the broader needs of the general public are met. SPO has a useful role as a data provider and as a GIS developer, which can save a lot of leg work, which is in its nascent phases. The comprehensive plan resource packets have been helpful to the towns and the state as well. It brings state concerns to the towns. Having the state performing outreach to the communities is good. I think it would be useful if the state is going to do that, that they fund one full time person at every regional council. I say this recognizing that I have some sort of an axe to grind. The state needs to think about this as we have been level funded with an exception in 2000, at the same level for 20 years. If the state is under the illusion that they are providing technical assistance at level funding, they really need to examine the trend here that continuing our efforts, it may soon be impossible. This may be true as I have heard that coastal funds through the federal government may be getting axed. In a severe way this could happen in this next year. To keep the level of service at present, they will need to reexamine this. – Member of Council of Governments 1*

*Yes, there is a need for growth management and the state should be involved but in a different role than at present. There is a terrible mismatch between the planning capacity of the communities and their needs for technical assistance. There is an imposition with the obsession of plan making which has not really been very helpful. In my experience, what planning boards in Maine need is a professional person to help them do their meetings, to write their findings, and identify problems in ordinances. Planning is important. If a grocery store gets clogged at the register, the managers have to come up and help out. At some point there is a mismatch of planners in the back and they need to come up front to help. What has happened over the years in Maine there are very few resources to help towns with planning in Maine. The only moneys available are to do plan making. I have worked on 4-5 a year and their offices are not set up to handle the development review in a proper manner. – Planning Director 1*

*There is a need. We need to figure out what it is we want to manage and I think it is residential growth and how do we want to do that rather than taking this into really broad picture. It makes sense in theory, but in practice, I do not know how effective it is. I thought we had these outstanding plans but I know what happens. You take the most dense part of your town and that will vary a lot from town to town. The growth area designations are sometimes illusive. We have allowed for density and create an incentive for more development in a town. We will not know for a number of years. – Town Planner 5*

*Yes, the state's responsibility is to put its own house in order with each community for 10 year capital investment strategy so that there is guidance, direction and stability. There is no such investment program on the part of the state. The closest we can get is a long range plan of the Department of Transportation. The issue there is how is this coordinated with the long range plan with the Division of Inland Fisheries, if there is one, and the same analogy to all of the other departments. The integration of departmental policy, every one of those departments makes investments and every time you make investment, you are guiding growth. So, the state has that responsibility. Beyond that I am not going to talk about the 1, 2, 3, 4, 5 or 6 different states of Maine but there are regional variances. We can discuss what constitutes regions. Portland is not similar to XXX (a town in Northern Maine). Are there similarities across the state*

*and are their basic premises across the state? There are things that are state, local and regional in nature. What we need is to assume the roles and responsibilities at those appropriate levels and they need to set broad guideposts on where they are going. – Director of Development 4*

*There is a need to protect natural resources and also investments in public facilities and infrastructure like roads and to provide economic development, better jobs than what would occur through retail development so there is a need for growth management. The state should be involved in an advisory capacity so they would give advice to communities on developing conversation proposals. They should not have that much in the regulatory part with the exception with DOT and DEP regulations. – Member of Planning Commission 2*

*Yes, there is a need for it. The way Maine is organized, it has been growing in a very inefficient and expensive fashion. Growth management in the state has to have a role and it is critical. What they need to do and they do not want to do, is to develop a State growth management plan. Not just “here are our 12 policies or goals, but here is our plan.” Until you get a handle on where the state spends its money, what towns have to say or do is not going to amount to a hill of beans. – Town Planner 6*

**3. Let’s talk about data gathering and analysis: As part of a comprehensive plan, a significant amount of time and effort goes into gathering and analyzing data. What are your impressions of this effort? PROBE: Can this be streamlined?**

*I think that for communities that are doing comprehensive plans for the first time, the state requirements are somewhat responsible, probably even excessive in some areas. For communities doing updates of their comprehensive plan, a lot of it is of questionable value. I think that the issue here is what I might call the difference between land use planning and comprehensive planning and I think the inventory requirements vary often. They absorb a disproportional amount of time and effort and creative juices and rather than deal with issues of land use and growth, people worry if they have every private cemetery listed or not. – Planning Consultant 1*

*There has been a noticeable change in the manner in which data is gathered and in the amount gathered. The computerization of different agency records, the ability to gather data, to retain it, manipulate it, and use it, it is much easier than even ten years ago. It has not been the problem for us as there is only a finite amount of information that is going to change that much. You expand on it but the core will stay the same. Data is gathered as a matter of course. Data gathering is not a huge issue. The analysis is always a consensus type issue and through the computerization there has been a lot of streamlining. You do not need to reinvent data gathering. Much of what we get in the SPO packets is a lot of overkill and more information than is necessary or is it indicative of trends or patterns that do not necessarily relate to various communities. - Director of Development 1*

*It takes too much money and time and it wears people out and they lose their energy. I do the comprehensive plans step by step, do the inventory and take it through to policy and recommendations so the people you are working with do not understand what the data is for. If you are just gathering data, it has no meaning and it has no passion and energy behind it. – Planning Consultant 2*

*It is an important effort which needs to be lead by the state and not only by consultants. This has to do with size and extent of local committee efforts but needs to be looked at carefully in terms of the detail required in respect to the respective size of each community. – Director of Development 2*

*It seems like a lot of towns are recreating wheels. The state provides a packet of basic information. This is useful, particularly for small towns doing this for the first time. These towns do not have professional planners; basically, there should be a set of data available to them. I do not know (if it can be streamlined). The Regional Councils, they are a source of information now. Maybe they could be the repository or the tracker of information and things like that. I think that they cannot, in our town, for example, we do not have a regional council that helps us. We have a professional planner on staff and we hired an additional consultant who we were working with consistently so he was familiar and had information himself. If he had not had that, we would need to keep creating it. – Attorney 1*

*I guess that first it has not been an overwhelming effort in the 7-10 comprehensive plans that I have worked on. It does not seem to be as hard as it is made out to be. To a certain extent, revisions have already taken place and streamlined the process and the impact has been felt. My town started a new comprehensive plan in 2001. Most of the data and the format we received from the state were substantially better than what towns received in the late 1980's. There were some exceptions to that as in some cases we got a lot of data but no information. This was stuff that was meaningless. We got maps of the whole state and almost all of the poor data or inventory came from one state department. Geographic information systems and the computer have been keys to revision and have streamlined the process a good bit. – Town Planner 1*

*Having adequate data to make decisions is very important. The state data package helps, but it is limited in a number of ways. More of a regional emphasis would help on data gathering to be seen in the greater regional context. Specifically, the socio-economic data, as it is helpful to see the broader regional picture. If the data were gathered more on a regional level, it would save a lot of time for towns and consultants in terms of trying to do analysis of and for various towns. If you look at income and poverty, that if communities could rely on a regional package to see what is happening at the regional level in terms of median family income, property levels and employment and the like, that would simplify things for the towns. If you could gather data concurrently and each town could then extract the relevant information they needed, a greater coordination of data collection would be very helpful. This would streamline the process. – Director of Planning Commission 1*

*No answer – Planning Consultant 3*

*Having done 15 comprehensive plans over the past three years, my overall observation is that it is extraordinarily repetitive to do it at the town level for most of the data gathering that is required. Streamlining it by having regional data sets for census, housing, and environmental information, which is regional in scope and which is very specific, would help. There are some basic data sets and manipulations of them which could be regional and could be dropped into all the plans instead of doing them over and over again. I would say the data provided by the state and from all the state agencies is about 3,000% better than it was three years ago. So, I commend them on that. – Member of Planning Commission 1*

*They have tried to make the process better but there is always room for improvement. I have heard comments that there could be a more effective organized presentation of data. – Town Planner 2*

*It is very time consuming yet it is very important as well. The 1991 process was a lot more straightforward. Part of it had to do with the review in that the plan was involved from the beginning. We used a consultant in the first effort and I funneled information. This time around we found, as we did last time, that the data collected is very interesting. The Board members were able to see the trends and it is a very important part of the process. It is a matter of what is acceptable to the state. The inventory is very important and when we revised it recently, we did not have a problem until the very end - they started tweaking it. We actually had a reviewer who reviewed the wrong comp plan. He looked at a previous one but the comments indicated that the review was the wrong plan and I linked him to the right plan. This was disastrous. In any event, there needs to be somehow a review of things well before the end. At that point, you do not need to be playing around with the inventory or how you put together what was covered. Maybe it is a staffing thing, that they cannot be involved at the beginning. I do not know about how and what others towns' needs are to see if there is a clear a list of inventory for me or another town. – Town Planner 3*

*It is a big part of the effort and whether you are working on a tiny plan or a big one, it is about the same amount of effort. The SPO data package is a good concept but it has never ever been of any use to me. By the time it arrives, we are usually done. For example, I worked with one town for several years and we were done and had gone through the review and were waiting for the comments when the data package arrived. This was absolutely a waste of time. I would have to say, do not have state people doing it if it cannot be done any better than it is now. The information is of little use and the information I really need is not there, with a few exceptions. On the whole, the data package would be helpful if it came early on in the process. That is up to the SPO staff; again, if they could get the housing, the economic data, it would be useful. Even, although I hesitate to say it, the municipal financial section in terms of making some regional comparisons, the statistical stuff lends itself to some economy of scale, but it is the easiest part as it does not take that long. – Planning Consultant 4*

*I would agree that there is a real danger that the decision making body is bogging down the data gathering and review process, which has happened in many places. It can be a problem. What needs to happen is that the critical thing is that the community at the beginning of the process needs to surface its*

needs, concerns, and issues, hopefully working toward a mission statement. They should prioritize in each community as there needs to be a clear assessment of what they already have in hand, what additional information they need to know to help guide the information gathering, which is directed toward a mission, which is relevant towards making the decision. Regardless of who collects it, whether an assessment of what is already available, what do we need to know? And what are the key questions that our community is facing that we need to answer, and what information do we need to answer those questions? Regardless of how it is gathered or packaged, each case will be a bit different and there needs to be an initial analysis of priority concerns. What is the info we need for decisions? There also needs to be some clear boundaries that deal with emphasis in terms of the time budget, in terms of staff consulting, time and money, and the volunteer energy. For the amount of time of sitting around the table and making the public's decisions on choices, decisions need to be prioritized. So, that is the key question on the focus and the need for decisions that are front ended in order to clarify effort. And sometimes you need to look and put money into finding something, if that is something you need to know, which helps you to make a decision. Pros and Cons of packaging? I originated the state data package since the early 90's and I reinstated it to help regions to put data packages together. I believe that all that is readily available should be given to the planning groups so they do not need to waste time. The program such as it is, needs to gather what is available at the state and regional levels and get it to folks so they do not waste time on this effort. There is a need for the analysis, again, to be perhaps guided, and this has been weak and this goes back to what is in the criteria packet. It may be in the technical assistance manual but getting people to understand the focus of the question and what the data can help them understand about trends is what is important here. It goes back to the efficiency of base data. The con is that data getting handed out and data which is in the local community and relevant and unique cannot be forgotten. This is very unique information. A local business inventory, which nobody else has and it is extremely valuable, which in terms of best use of time is to couple it with outreach, that you are doing public engagement by calling people to get a sense of the issues and find out what people are interested in and what issues do they see. In doing this, you get at the issues they have and you can streamline the process and the investment of the committee membership and having contact with people is a valuable part of the process. Most communities should not be starting at scratch, but rather updating things from their first plan. This will give them a benchmark on where they are and why. Thereby you are never in a situation where there is zero additional data gathered. The time spent on this needs to be looked at carefully. – Director of Development 3

No answer – Town Planner 4

No answer – Member of Council of Governments 1

For small jurisdictions, if it takes more than a year, it is counterproductive. This gets back to the data. All the state agencies gather data about a municipality and ship it to a town and we get these 30 lb cartons of data. The committee of lay people gets completely and utterly overwhelmed. We put all of this data into the inventory years later. We send it to Augusta, then the state agencies review what has been sent and there is this terrible circular thing that costs thousands of

*dollars to tell agencies about that they already told towns about. When consultants are used we do not even look in the boxes since we get all of our labor and population and mapping layers from GAS all on line. There is no need for citizens to go through all of this data and it ruins or takes up the first year. Towns take a year going over this material and they do not have much money to do all of this. After a year they contact SPO and say we do not know what we are doing and could you come help us. So, the whole process has way overemphasized the inventory as a part of planning and this was a part of the hearings that took place in 1990. What we have suggested as a solution instead of giving each town 20-30 thousand dollars for 5 years of work, half of which they spend collecting data, we could for \$20,000 a year, we could keep a current inventory for our region for data on each town and have a half time person to keep it up to date. This would be annexed to every plan. This would streamline the process and save a lot of money too! Planning is supposed take one or two years but it has been taking four to five years. So, when these towns started, the census was not available. Then all of a sudden the plan is done then all of a sudden the plan is out of date so they have to update the plan because of the census. One of the big problems to tackle is that we have never really gotten a clear purpose for why every town needs a plan! Some of the state agencies seem to feel that the purpose is to get a really perfect list of plans in the state or really perfect list of something. This is just not going to happen. – Planning Director 1*

*Again, it would be fewer things. I would say that they should not be that concerned with commercial growth but deal with the residential growth and seasonal residential growth. The commercial sector can take more of them selves as they do a lot of research in terms of market studies, which gets done by supporting companies. I am not saying you should eliminate the commercial sector; we should not be counting hair dressers or square feet of commercial property. What about our big traffic generators? These are the top ten uses that generate a lot of traffic. If you have uses or a cluster, then you need to do something different, shorten it up. – Town Planner 5*

*Yes, there are givens. There is a host of information on natural resources and environmental information. The descriptions, needs of the aquifer through Western Maine, is a regional resource and each town does not need to inventory as it has already been done once. The state needs to work more and more with the standardization of those inventories. We need to talk about what the minimums are from a management basis and this goes into a town comp plan. This is where you are at, whether it be a water shed or as a competent piece of... where a habitat is, those things are a place to start. You are not going to turn this ship on a dime and we need to start in places where there is general concurrence with efforts from there. You need to cut into that stuff and records and management systems of numbers of building permits have been granted in a given year as a part of a database, and it is all there. – Director of Development 4*

*There is a lot of data required by the criteria rule. A lot of it is available on line so it is not hard to access, but some of it is not in the format that the state wants so it is difficult to disaggregate it and it may not be possible. There is not a need for all of the data so when we do get it, it does not really show what was intended to be shown by the people who asked for the data. So, sometimes it is of limited*

*value. This becomes a challenge for the towns to make sure it fits with what they want, or not include it at all if it does not support their position. – Member of Planning Commission 2*

*A lot of the data is already available from what I understand. There are two types of data - local (here are our number of homes, etc), and there is state or regional data. Natural resources go beyond boundaries. Overall, housing is regional in base and it makes no sense for towns to generate that kind of data. It would make more sense for this to be generated on a regional basis. – Town Planner 6*

### **How would you suggest doing this?**

*Not asked – Planning Consultant 1*

*No answer - Director of Development 1*

*The RPC's, who are never funded enough, really need to provide the data to the towns and present it in a meaningful way so that they know what it means. Data by itself is meaningless and they need help with the framing of the issues and the analysis and digesting it. This all comes back to state and regional assistance. – Planning Consultant 2*

*The best way is to break things down by service center designations, where a more detailed analysis can be done of jobs and other resources. – Director of Development 2*

*The state knows what it wants for every comprehensive plan for every town. Every regional council should know the population, know the housing stuff, know all the basic information for the town. They may not know the wetlands and things like that. That would be great if we got to that point. There is a package of information on every single town and get that done to large extent – Attorney 1*

*Continue to refine the data being sent and collected. – Town Planner 1*

*Well, part of it is already underway but we need more help. Looking at some of the land use data regionally, as we need some help in trend analysis. Land use data is hard to gather as different towns have different mapping capacities. Some help with aerial photo interpretation and mapping as to what has happened over time. Budget realities need to be kept in mind. – Director of Planning Commission 1*

*I think that this is an area where technology has been great. In the more recent plans, I have gotten a thick data packet and CD with a lot of data in them. So, this has helped and it is very important not to have information overload. This is an area where the state and the region can play an important role in providing the data and information for planning. Streamline the process; a checklist with your goals and things you need to look at is useful. In going through that, it is a useful process so I do not want to get too far away from that. I would hate to see it so streamlined that you are only looking at various aspects. – Planning Consultant 3*



*See previous comment – Member of Planning Commission 1*

*If there is an expectation of the data, they want to see in the plan that it ought to be explicitly clear. The most recent state rules I have not had to deal with. I have heard comments from other people if want “x” then just tell us you want “x” and do not make it a guessing game. If there is certain specific data they want us to have, just tell us. They may be doing them. Just be clear on what you expect. – Town Planner 2*

*No answer – Town Planner 3*

*Not asked – Planning Consultant 4*

*See previous comment – Director of Development 3*

*We have a lot of data gathered and coordinated by SPO that was sent to us for our review. I have not gotten into it yet thoroughly. This is, in my opinion, an appropriate role for SPO to help us put all the data together. If it is already there, we should have access to it. Individual communities need to be doing the analysis of the data for what the planning implications are. If the data is as good as I hope it will be, it is a great role for SPO and this streamlines the process a good bit. This will be a huge time savings compared to what we had to do in years past. We are in the process at present of identifying the goal and policy setting. We, based on my previous experiences, are calling these issues rather than something else, like goals or policy areas. This helps us get around deciding on goals or policies, but rather an issue, and we are asking is there any answer and can we get our hands on it. We need to figure out what we like and how we can go ahead to do it. – Town Planner 4*

*I think that there is some merit in doing this on a regional basis, both for the purposes of comprehensive planning and developing a database for regional planning, which there will be more and more demand for this. There needs to be some level of input from small towns of local input that is not available through state agencies to make the inventory and analysis an effective reflection of what towns need to know to make policy. Maybe it should be a two tiered thing, whether the state or region develops and provides exhibits of the basic elements; the skeleton of the inventory and analysis in an objective sense. Some of the more anecdotal and specialized local knowledge in the towns needs to be added to those bones to flush the thing out. This would be an important area to explore. Another side comment is that the update is annually done by the state and suggests that you should not worry too much about inventory and analysis. Be sure to reserve enough time in your work to be doing policy development. On the other hand, they developed the data package. Both of these notions are good but they set up a conflict. A third dimension in the consistency review is if you have not updated some particular data, it often comes back to haunt you in the form of an inconsistency. So, if the state says do not worry too much about the data, it might be good for the state to develop some guidelines on what data needs to be updated and what does not. When working with limited state and local funds to make policy changes, in response to periodic needs update or a particular proposed major development, that changes things. These guidelines*

would help in streamlining. The rules are likely to be rewritten even if the act is not amended. So, the opportunity exists to address that set of tensions in a way that might be easier to deal with and be more effective channeling the data gathering and analyzing energy to the places it is needed. – Member of Council of Governments 1

Absolutely, in the profession there has been a tremendous emphasis in comprehensive planning and inventorying nationally. In Maine, we have brought it down to a scale which is almost ludicrous. For jurisdictions, here we have rows of plans that are clogging up on filing cabinets. We have taken a paradigm which was developed for Cleveland and brought it to XXX (town) – Planning Director 1

By the time you get started and by the time you get finished, the inventory and analysis is already out of date. This means by the time you finish up a plan, you have to go back and redo the inventory and analysis section. It meant I had to go back to the data and it was out of date. I have never heard of completing a plan in 2 years as it is a four to five year process. By the time you get done, they are so watered down. In my town, we are not drawing any kind of conclusions. Since there are such lofty and sloppy goals, you can take things any way you want. I can, in theory, see the value of the inventory and analysis, but it is far too cumbersome. It is good for historical purposes so you can watch trends and to compare to other towns. I do not think this is the most important thing and a lot of other towns put all their grant money to just do the inventory. What is most important is focusing on the vision and the policy you should be focusing on. – Town Planner 5

No answer. – Director of Development 4

I think so! The criteria rule for comp plans needs to be updated to remove requirements for things that do not exist, or for things they want. If that were done, it would make things much easier because they ask for information that is just not available. There could be flexibility in the range of data that they seek so they give people more flexibility in what they actual decide to put down. – Member of Planning Commission 2

This is a good question. The computer has helped a lot. If you streamline it too much, the comprehensive plan loses what it is and becomes something different. One of the things we have done is to create an ongoing planning process and it could be streamlined by consolidated data so towns do not need to generate it. It takes time to generate town data and to get community consensus on what it means to them in terms of issues and problems. – Town Planner 6

**What would be the pros and cons of having data gathering and analysis done on a regional or statewide basis?**

Not asked – Planning Consultant 1

I am very uncomfortable with that as you cannot lose site of the fact that it all happens close to home. As you branch out, those things become more relevant but the core information has to relate to the municipality itself because they are

*developing their plans first and they are the building blocks for regional and statewide. Not necessarily the other way around. - Director of Development 1*

*Pros outweigh the cons. Pro for towns: the process of doing the plans allows them to get to know the town. This can be overcome by quality presentation. We should take off from where we are at now and Maine State Housing does a good job with data and the GIS people provide a lot of good information. The census data and the estimates should be the regional planning commission and update it at mid decade. If you go out to towns, be sure to make comparisons and let's stay away from having local committees gather the data. The data is not enough and it needs to be analyzed for meaning. – Planning Consultant 2*

*Data gathering should be done on a statewide basis by having the state agencies work on it. Often as one agency does not know what the other is doing. There needs to be a flow back and forth in terms of feedback from the regional and local levels. There are a number of good examples of this in several cities which have cooperated with state agencies and managed to do quite well with gathering and analyzing data. – Director of Development 2*

*I think that towns tend to look at their own situation and do not look outside their towns. So, if you were doing it regionally, it would give the regional context. So, if you're looking at affordable housing, for example, how does the town fit into the region for affordable housing, not just the housing in their own town? Same with natural resources; you do not just stop the water shed at the border, it does not stop there. They should be putting the town in context. The con is that you have to pay someone to get this information but to a large extent, for one town, one person is doing it for five towns. This would be more cost effective. – Attorney 1*

*Pros are much better efficiency. The marginal cost of providing data for a 10 town area over a one town area is very small. Since this stuff is all on the computer, it will probably only cost 2 to 3 times more to do a 10 town inventory as it would a one town inventory. – Town Planner 1*

*I have indicated the pros in my previous comments in the efficiency in terms of costs and duplication of effort. The cons-sometimes the census and other state data do not look at some of the local realities. The data sometimes does not make sense. Our data shows in our county a decline. The census data says there is a decline in manufactured homes and multi family housing between 1990-2000. This went against what you could see in terms of what mobile homes and multi level housing sites were being built. Another instance dealt with limited minority contractors in terms of the census. Population was 40% non white; why so few minority contractors? But when people put down "other" on their census reports, what they meant was that they were French extraction. You need to have sensitivity to local realities. Another con is that sometimes people resist regional efforts as they feel it creates more of an impression of homogeneity than there actually is. – Director of Planning Commission 1*

*I do not think that it eliminates the need for analysis and the incorporation of local information. What it does is that if I have all this data, it means that I do not need to go out and collect it. If there is some analysis done from a regional perspective, that helps me. It is still important in working with a town and*

*presenting things to a committee and having them mull it over as to whether it makes sense in terms of what is happening in their town and region. – Planning Consultant 3*

*You would not need to do it over and over again. You could pull it from one place and it is done and you pull it into one plan and speak to the data for the town which is under consideration. If you are doing an individual comprehension plan, you would do this, rather than recreating the chapter over and over again. – Member of Planning Commission 1*

*Since land use decisions are being made at the local level, gathering at a regional level has no use. It has a very limited overall comprehensive plan value. You need to ask why you do a comprehensive plan. Part of it is you want the town to have a vision and understand where you want to go. Part of it is that it is a document on which you are basing your legal land use regulations. I tend to emphasize that piece a little more than the end of it. You need data to back it up and want it to be a rational document. – Town Planner 2*

*No answer – Town Planner 3*

*Not asked – Planning Consultant 4*

*See previous comment – Director of Development 3*

*To the extent that individual communities were not competing with one another for tax base and taxes, it might be appropriate. But because people are fleeing from service center communities and going out to live in the countryside, as taxes are lower, which is often due to state policy reasons that people are not even aware of. You could gather data on a regional basis but each community needs to sort out what the planning implications are for them. Planning that way is not going to work until we get rid of our reliance on the property tax to fund municipalities. – Town Planner 4*

*We already have a good bit of data on a statewide basis which is spatial and statistical. I think the analysis needs to be both local and regional and maybe even state. I could see that a good regional analysis performed by regional councils might benefit by having a foundation of some of the larger trends being identified at the state level. The local analysis in turn would benefit some regional context. To some extent, a lot of this goes on now. It would be from the regional perspective, helpful I think, if the state and the regional looked at their role in part as being the development of an ongoing regional model and data bases which would help inform a lot of decisions, not just comp plan decisions. – Member of Council of Governments 1*

*No answer – Planning Director 1*

*They do this now with a CD on a statewide basis of all the data the state has collected on wildlife, etc. I do not know if we get sales tax data but they do a lot of it. Nobody keeps track of any of this stuff. I do not see the values in it. The update we are doing is three fourths of the way done so when we get the data package, it will have to be reassessed and lots of changes have taken place.*

*The state has estimated number of employees and I don't think that it is that important. – Town Planner 5*

*If there becomes a requirement of a regional plan, then that would be done and maintained and available to groupings of small communities to do a comprehensive plan. Hopefully this is where we are headed. Grouping would avoid turning one or another town off. Turning growth management on or off for each municipal boundary does not make any sense in an economic summary. – Director of Development 4*

*If the town agreed with the analysis, it could be useful as it could save time in terms of getting the analysis done and that is the pro. The cons are if they did not agree with it, they would probably wind up doing their own analysis. Sometimes at the regional level local issues are missed, which can have a dramatic impact on the models the state projects for growth in housing and population. So, there always has to be a local check that the analysis is based on accurate data. That is the risk at doing it at a higher level, but if it is done this way, it is cheaper so towns do not have to generate the same information. One of the problems is this would have to be continually updated from year to year as the regional data may change. When we work with towns, we go back to the data for towns so we check for the most recent data. – Member of Planning Commission 2*

*It takes away the local bias and it makes towns give more than lip services to regionalism. Yes, we do regional efforts, we share purchasing items. If you look at the data from a regional perspective, you get into big and important issues. – Town Planner 6*

### **What steps would you suggest to implement this?**

*Not asked – Planning Consultant 1*

*The more global trends of the state as a basis for determining how that municipality measures up, whether they are following or departing from the regional or statewide trend. This is only in the grander scale. If personal incomes are following behind in a city, then you need to look at the whys and wherefores. If we are exceeding it, the same type of analysis needs to be done. – Director of Development 1*

*Data can be made available in a more usable form and the state needs to make it more manageable, maybe on a county basis with comparisons. – Planning Consultant 2*

*See previous comment – Director of Development 2*

*Money that they get, they already get money from the legislature which can be directed towards this task. There are people in the state planning office that can do this work and there are people sitting in regional councils that can do this. – Attorney 1*

*Working through a regional planning commission, particularly for data with a geographic base. All of the regional planning commissions around the state have GIFS (geographic information systems) computerized mapping and data base systems. – Town Planner 1*

*See previous comment – Director of Planning Commission 1*

*No answer – Planning Consultant 3*

*Preparation of regional plans and to support the preparation of regional plans to the regional councils is an obvious one. Allowance in the rules of comprehensive planning that an individual town's comprehensive plan can simply make reference to that larger plan rather than regurgitating that information. – Member of Planning Commission 1*

*See previous comment – Town Planner 2*

*Regional planning allows for more and they have a much better handle on what towns in a given region need. They are in their towns so they have a much better idea if a town has a potential growth area or doesn't, and whether it is appropriate. I do not know what the best way is. You cannot have the same plans for all of the towns in the state. It doesn't make sense. – Town Planner 3*

*I suppose if you wanted to fund regional agencies to do it; they are involved to some extent to varying degrees. The danger I see is what I encounter. I walk in and I got told that we have the housing analysis all done; you don't need to do anything. We got this census report on affordable housing and it is in reality a pile of crap. The work just begins often when they (communities) think it is done. I am a little concerned that at the regional level there is a tendency to prepare a 55 page report rather than a 6-7 page report. So, I am reluctant about this. – Planning Consultant 4*

*See previous comment – Director of Development 3*

*No answer – Town Planner 4*

*No answer – Member of Council of Governments 1*

*No answer – Planning Director 1*

*No answer – Town Planner 5*

*No answer – Director of Development 4*

*The state would need to fund it for themselves and have it accessible or contract to have it done. It requires a lot of mundane work that would have to be paid to get done. – Member of Planning Commission 2*

*No answer – Town Planner 6*

**How constructive would it be to streamline the data gathering and analysis portion of comprehensive planning? Would you say that it would be very constructive, somewhat constructive, somewhat unconstructive or very unconstructive?**

*Not asked – Planning Consultant 1*

*Somewhat constructive - Director of Development 1*

*Very constructive – Planning Consultant 2*

*Somewhat constructive – Director of Development 2*

*Very constructive – Attorney 1*

*Very constructive – Town Planner 1*

*Very constructive – Director of Planning Commission 1*

*Very constructive – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*I do not know, maybe I have not had enough experience to respond. – Town Planner 2*

*I think that any particular way you can make the requirements more appropriate to the community and make them not do work that is not needed in their particular town. I don't know if there is a way to do it or not. The regional can sit down and say that these elements should be in a plan and what the larger community needs. The state could prepare for the town or the region to prepare the inventory materials. It might cost more money at the front end which might save all the towns some work. The money is always going to be there as an issue. You could always streamline the process if a lot of the data gathering and the analysis had been done outside of the area and then brought to them. I am not sure that the data packages at present are that useful. – Town Planner 3*

*Very constructive, if it were well done and done properly. – Planning Consultant 4*

*I just explained that there are trade offs. Therefore, this is not is a viable question and it will just get us in trouble. This is an un-informing question and frankly that is an example of the disservice that can be done. Framing a question which is not fully thought through is the type of problem that a town can have if they are working to analyze data and making sure that they are analyzing data and thinking through the implications and making sure that they are after the right pieces. What decision are we trying to make here? If the problem is not properly stated or phrased and you are trying to boil things down, which misses the point, it is likely to do more damage than good. Ironically, this question will get you data that... you cannot trust the results of what you get – Director of Development 3*

Very constructive – Town Planner 4

Somewhat constructive. It would be desirable if it was done well. – Member of Council of Governments 1

*I think it would be constructive because we could cut a year off the process and save a lot of money. My structural criticism holds true for the whole program. There would not be big political problems with this except for some state agencies who won't be able to get the data they wanted. Those people could make sure that regional councils make the lists correct – Planning Director 1*

Very constructive. Streamline to me says shorten. I do not know what their thinking is. Limit the amount of stuff and shorten the list of things which need to be compiled. – Town Planner 5

Very constructive. I just attended a meeting in Augusta on smart growth and we ran into members of comp plans from several communities. They all said it takes so long to do a comp plan, particularly in terms of the process of getting through the inventory phase. It is not that is unimportant. It would be easier for them to query information and review material right there than going through the arduous process of collecting and arguing about it. – Director of Development 4

Somewhat constructive – Member of Planning Commission 2

Very constructive – Town Planner 6

- 4. Let's talk about plan reviews: Currently, the State Planning Office reviews comprehensive plans for consistency with state law (the Growth Management Act). Inconsistencies with the law are identified in most of the plans submitted, resulting in a lot of time and frustration for the town, planning consultants and the state planning office, as they all work to address these inconsistencies. How would you suggest resolving this? What changes are needed for plans to be consistent or close to consistent when the state receives them for review?**

**PROBE: Would a more formula based approach, with fill in the blanks and multiple choice options help? What are the pros and cons of this?**

*I think that there are two basic issues in the state review process. On one level, I think a significant number of the findings that the state makes of inconsistency are truly Mickey Mouse. For example, the kind of things that some historic property is not listed in the inventory that a lot of what I would describe as nit picking sorts of things. So, when they get translated into a 12-15 page letter with a lengthy discussion which says we find the plan inconsistent because in the inventory it does not list whatever. This seriously undermines the credibility of the state review process with local officials. I think that there needs to be an intermediate review step which says, okay, here are what the state feels it needs to deal with. These sorts of things, they have a process whereby it somehow tries to resolve those before you get to a final decision. Secondly, the focus of the review should be on land use and growth management issues. And again, a lot of the Mickey Mouse sorts of things detract from that. If I were going to change*



*things I would suggest two things: 1) I would almost suggest that the state require the submission of the inventory and analysis portion of the plan separately and ahead of time. This should be reviewed and critiqued and if there are the Mickey Mouse sorts of things to be addressed ahead of time rather than at the end. I know they will say that if someone wants to send them in ahead of time, they will do it. I think this should be formalized as a requirement. 2) In the review process there should be a requirement if the state is going to propose findings of inconsistency, that there be some sort of formal meeting and discussion prior to the state writing its letter. 3) The reviews need to be done on a much more timely basis. If the state is going to require that plans be reviewed for consistency, they have to live within the guidelines within the state law. I would even suggest shortening those. – Planning Consultant 1*

*The process has been based on flawed underpinnings from the beginning. The law states that municipal plans will comply in the state's 10 goals which are enumerated in the law, goals not, not current or pending legislation, but the 10 goals as it related to forestry, etc. The current regulations, which are in place because they are constantly evolving, and changing conditions, which by themselves reflect the state goals. I think there was a certain ego trip on the part of the SPO at the outset in finding ways to craft regulations that went way beyond the scope of what should have been the basis for analysis. Comp plans are municipal documents which are intended to benefit the community and in turn benefit the region and the state. Simply spewing back something to comply with state law at that snapshot in time may not reflect local goals. This is one of my pet peeves from way back. Municipalities are often inaccurately critiqued for not addressing something in a manner that necessarily pleases the transient population at SPO. If the goal is to have sustainable forests and economy, then SPO has to have in its mind through consultation with the forest service. You need to at least look at these things in the global sense. It does not have to be in compliance with this and that, but they are a part of state law anyway, but you are looking for goals and for what the community sees. The plan reviews have been skewed in my opinion, on the basis of the bias of those folks who are doing the plan reviews. - Director of Development 1*

*Formula based is not the right approach as it would be worse than what we have now. Towns should be given a series of questions and issues and let them identify what their own issues and problems are and offer solutions from them. It is not one size fits all. The SPO should have a simple check list as to whether the town has addressed each element and if the solutions they come up with are based on their findings. You would have to change the law so that SPO is not so rigid and requires the one size fits all. That is one of the worst parts of this whole thing. – Planning Consultant 2*

*I am less concerned about what the state thinks as I have never had a problem in regard to consistency matters. This did depend on the economic situation at the time in the late 1980's and the economic crash in the early 1990's and taking these factors into account with plans. I am not crazy about what the formula based approach might mean, although I am in favor of giving municipalities and towns much more flexibility. – Director of Development 2*

*Well, that can be used by a town that has not done much, or anything, and they do not want to do much and there is not a lot going on. I do not know how many towns would find that useful. But showing people examples of things to get their minds going in the right direction. When we did our comprehensive plan we had our previous one but that is it. They sort of sit around and say, here is what you want! Here are the ideas that you could do. Having that kind of model approach could be thought provoking for some towns and will help towns with few resources to get through it much quicker. (Any cons to this notion?) You may get the lowest common denominator as people may not think beyond what you give them. – Attorney 1*

*I think it would be a terrible idea. My impression with the review is not in the law or in rules. The problem is in the way that the personnel have carried them out or in many cases not carried out their responsibility. The problem has been in the way the SPO has handled the process. I come from a perspective that for planning to be successful-it needs to be carried out and embraced and reflect the values of the people who are doing the planning and for those for whom the planning is being done whether were talking about planning the menu for the family gathering, doing a business plan, planning a vacation, or doing a comprehensive plan for a municipalities. All of the principles apply. So, having a fill in the blank plan is not going to be any more or less successful but it might be easier to do but that is not the issue. Everybody who is successful does planning. – Town Planner 1*

*First, it would be helpful if there was some sort of sliding scale. Capacity differences are at a point, with lots of towns have few people to do committees or starting up efforts. There needs to be recognition of this to scale. Also, there needs to be recognition of municipal infrastructure. Lack of public water and sewer makes having growth areas in some communities more difficult. Also, you need to look at past performance-the ability of towns to enact any sort of town wide zoning. Those towns that do not have town wide zoning should get some sort of basic zoning ordinance in place rather than the far more demanding zoning that SPO expects. That town is better having something in place rather than nothing at all. Another suggestion would be to look at the priority issues the town faces. A town had inconsistency noted was that there was in analyzing future budget expenditures the town did not budget for a part time maintenance person for the town hall. That is a local decision which does not have any effect on the state. Or looking at the some of the faults in inventory analysis. If there is a cursory treatment on the economy don't zero in on that but look more at growth and development issues. Then in another round with the state review it is somewhat imbalances as some agencies spend a lot of time on the review where others do not. We learn a lot in the review where it would have been better to have this in the data package. – Director of Planning Commission 1*

*I have not had any trouble in SPO reviews and consistency requirements. So, I am not sure what everyone is complaining about. They act and their rules are pretty clear and I support that. When I go into a town we go through the check list and this does not mean when we get to the end of the process that SPO has some objections to what we have done. We go back and go through them and tweak the plan or whatever and usually I have been pretty happy with the outcome. For me I have had a good working relationship with the SPO. I have*

*only had one plan voted down by a town. In another town an approved plan did have some of its goals which were not implemented in terms of the zoning provisions. I know that they will revisit these again in the future. – Planning Consultant 3*

*There have been in my experience none or few inconsistencies. The presentation from SPO which I saw for the first time last night on what their expectations are helps. There has been a lot of staff turnover and service to my region. Seeing this recently after my doing 15 plans was interesting. I have few inconsistencies in the plans that I have been involved with and they have been minor. The biggest problem comes in when you have a committee that is determined that they are going to do what they want to do no matter what the state says. The consultant is often in a weird position to mediate expectations and deeply held convictions on both sides. So, being clearer up front about what expectations are, which I saw in the SPO presentation last night helps. I do not see that working myself (formula based approach). In working with communities I would see them saying that was even more proscriptive. It would bring a response like: who do these people think they are to give us a check list. We want to describe what we are not with the confines of this, that or the other. I see people immediately picking holes and saying you don't include me. This does not address the one side fits all. I think actually that it makes it get peoples back up. – Member of Planning Commission 1*

*I think the idea of a formula based approach is good. I think it is a great option. I think you should leave it open for towns to choose whether or not they want a formulas or they will do their own thing. They still have to meet the consistency standards. It is a great idea. – Town Planner 2*

*I love that word consistently. Have you had any comments about that word? No, I would like it defined and this is where a lot of problems lie. That is a pretty loose term. I was taught, maybe in the old school, and I have always believed that comprehensive plans are guidelines of how your ordinances and things are aligned and that they should fit into those guidelines. My sense is that SPO recently has been defining it, as for example in our review, or that they saw comprehensive plans, as more of zoning document. They wanted "should" changed to "shall." They wanted these all changed and I do not know where this came from. Where did this come from? I do not know that they felt they could require that but they did try. The inconsistency thing is a problem for a lot of towns. Somehow, if that is the term we are going to use to determining whether or not the plans meet the state goals. They have to explain up front what the term consistency means. We cannot learn this at the end of the process. I am not sure that the SPO reviewers and planners are on the same page on what this terms means. – Town Planner 3*

*You need to start with the preconceived notions that go into the standards. The most difficult thing is for the small rural town that has no defined town center. The small coastal town with a center or two but the soil is bad and they are surrounded by wet lands, no water and no sewer and it is not suited for a growth area. I think that the state is trying to look at the one size fits all approach as everyone must have a growth area. The towns do not and it is really the hardest the part of it. The preconception is that you are going to have a village area here*

*and you are going to provide services in your capital plan. A sewer system in a small town, what are you guys talking about with a sewer system with half the people below the poverty line? This is a truism for many small coastal towns, small rural towns that are not having much growth. It is very unrealistic to say with the state standard when state rule says you cannot have, as a rural town growth cannot exceed 30 houses in 10 years. This is too strict a standard. The state is trying to push something for which there is not much existing political support. It only works where you have an existing village or city when you have water and sewer services and existing zoning ordinances then it is pretty easy. For the smaller towns this just does not work that well, trying to squeeze them into that mold. No, it would not work either (a formula based approach). You cannot do planning this way. Planning is not a yes, no or fill in the blank kind of thing. That is ridiculous! – Planning Consultant 4*

*The worst thing we could do is to take out the creative problem solving of the local process. If people are not thinking then we are wasting our time. They need to own the decisions they make. This does not mean that they cannot look at a lot of the things that are out there. The bottom line is that towns would be required to pick from available options reducing flexibility. I would be opposed to that and it would be deadly. Looking at these difficult problems which are hard to solve. In each case the community has to analyze this strategy where things fall down as they are difficult. Sometimes it is for lack of effort, or the proper tools to change the real estate market for instance. That is what we are up against. Counterbalancing the real estate market there are not the tools to do it now and it is difficulty. What the state should do is to request of the town that the state rephrase it as questions the community has to answer and address and there is an argument of the community of why their approach will work. You trust it and give it a chance. The community has the responsibility to come up with what they think they can do with state parameters of moving their agency forward. – Director of Development 3*

*Multiple choice or formula based? You cannot plan a community on fill in the blanks or a formula. That is not what planning is. There needs to be a lot of forethought and how towns react to outside forces and this again cannot be done that way. I have not had an SPO review done recently but I have heard some horror stories from smaller communities. A part of the problem was that SPO was more concerned about proper planning as they were with meeting the requirements and the rule of the law. Perhaps staffers went beyond the grounds of what they were supposed to be doing. When I got to a given town a plan was being set forth for approval. I read it and then sent it to a technical editor and we got it back and it made more sense and council adopted it we sent it off to SPO and we got a letter of consistency except for a section on capital improvements. I do not know if things have changed that much over the years to the early 90's. I have worked with towns and had no problems in getting consistency. I do not know all the whys of this. – Town Planner 4*

*You know that there might be some items that would be best handled by fill in the blanks approach but they are small items. But I am thinking is that there would be some benefit to looking and revisiting the one size fits all approach. And that might be that you might look at a different set of criteria for a service center or parameters of review. There is the question of municipality size and the question*

*of its growth in service center or rural growth fast or slow growing. There are some towns that are losing population while others are gaining it. Maybe the right direction of growth and shrinkage is something that needs to be considered as well if the state is going to have a role that involves determining consistency or not. – Member of Council of Governments 1*

*I just talked with two towns who will be getting their second or third inconsistencies letters as they did not properly size their growth areas. I think that the program is demanding way too much specificity and when you bring things down to a tiny scale it amplifies the difficulty of that. We have to totally back up and figure out why we are making towns do this. I see a terrible conflict every morning when I come into work because when you talk about planning with a group of people we are going to talk about town problems. You are implying as a facilitator that you do not know what the outcome is going to be. You are implying that the people in that room are in control of the identification of issues. And you are implying that these people will come up with solutions that are going to work for them. However, that is not the case with the program. The program is looking for specific outcomes and specific data and goals and objectives. So, we need to sort through if there are mandated outcomes you want everyone to achieve. If that is the case then you need tell everyone what they are at the beginning and not pretend that they have control how it turns out. This is what you have to do and you give them a model ordinance for storm water, affordable housing, or storm water for whatever they want to do. At the end you tell them you did it and you did what we told you what you had to do. If you tell them at the beginning at a kick off meeting here is \$30,000 the world is your oyster, goals objectives and were here to help and then five years later you tell them in a letter you did not do it right and its terrible. – Planning Director 1*

*The finances are such that state agencies are stopping incentives when a plan is found consistent by the states. Rarely do you have a grant when that is not a question. You get more points for a plan that is more consistent. I have not had problems with getting consistent with minor details. So, there have been no major items that I have dealt with or had that experience. If they want more towns to have more vision but then they need to shorten up the number of goals that are acceptable needs to be shorter. There are 10 goals now but take your top 3 as you just have to live with these and I would make them the residential part. – Town Planner 5*

*There are standard components that can be made available to people but that is really not multiple choice but it is along those lines. From the stand point of plan review, we need to engage in more peer review. By this I mean encouraging communities to work together and bring some of that work down to the regional level. If the state would only share some of the decision authority. The responsibility is here so remove SPO from being a cop to being an advisor. We need to shift some of that authority to the regional level. The state needs to say here are the goals and here are the minimums and in that layer there needs to be a regional definition of what the goals mean. Then the regional responsibility helps the communities with their comp plans in dealing within that constraint. So, if we share in aquifer protection how about one set of regulations not five. How about uniform goals and objectives since we all accept the data base and then lets have one way or regulating from top to bottom and that is where cooperation*

*starts. If that is our goal you got to shift some of the responsibility for making the decisions back down. – Director of Development 4*

*The SPO has a lot of discretion in review of plans. It might be worth limiting that and have them look at some fundamental basics rather than going into the detail they go into. That creates problems that the state would say to a town you need to address this issue more carefully and they would not give necessarily give an example of what would be needed to get to consistency. The idea of providing the town with options and if you choose this you would have a consistent finding which could be a range of choices with the towns being able to go beyond. The towns could suggest things on their own for consistent finding. It (formula based approach) might help on the inventory part but it is hard to say on the analysis. People would write to the document if they are being required to do that. They have an obligation to write to what the town needs are. So, in an ideal world it would cover both. If the state requirement were less it would be worthwhile. Would the extra town specific text that they write be reviewed by the state? If they filled in the blanks and wrote a couple of more chapters, would that put them back to where they currently are? What they do now is put in all the stuff state requires and add in all the stuff they want whether or not the state thinks it is important. – Member of Planning Commission 2*

*I do not think that the review process is the problem. The basis of the problem is that towns are being asked to ask to address state wide and regional problems. They either don't want to, don't have the capacity to do it or the money to do it and they often do not have the community vision. If you address all issues that the state gives you, you are consistent. It is simple as that. It is when you say we don't want to have affordable housing in this town that trouble arises. I know towns often say lets put in this language and we will see what happens. – Town Planner 6*

**How constructive would it be to make plans more formula based? Would you say that it would be very constructive, somewhat constructive, somewhat unconstructive or very unconstructive?**

*No answer – Planning Consultant 1*

*Very unconstructive. No two plans should look alike and different communities express themselves in different ways. We do not need a cookie cutter. It should be something that the municipality takes a proprietary interest in and feels ownership of. To have that ownership decimated in reviews that do not necessarily get what the municipalities sees as its future but more how the municipality regurgitated what the SPO wanted to see. Formula based would only make it easier for SPO to continue the type of reviews and much, much easier to do those types of review without the recognition that municipalities are even trying to do things they way they see things. - Director of Development 1*

*Very unconstructive – Planning Consultant 2*

*Very unconstructive. What is important here is to look back to the plans and determine what is critical to this town in terms of what their employment and infrastructure base is. – Director of Development 2*

*Somewhat constructive – Attorney 1*

*Very unconstructive – Town Planner 1*

*Somewhat unconstructive – Director of Planning Commission 1*

*Somewhat constructive. I believe that it would be helpful although one concern I would have is that it not become too complicated. You have to keep it simple and this is a tough one to deal with. Years back we did some tier patterns which was an attempt to make things more formula-like. When I think what we do in planning from the state perspective some of the things we did in zoning or in land use regulation might have some helpful aspects in it. We look at performance based things with benchmarks which are terms we use and it may be that applying these kinds of things to a growth management act and implementation maybe a place to be looked at. – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*Very constructive. That is as long as it is created as an option. If you want to do a formula plan here is our model. If you do not want to use it you can go with something you develop from scratch but we are still going to review it for consistency. I think it would be great for the towns who do not want a lot of effort into it and they just want to get consistency. You want to get consistency you have shown them the direction where you have to be. It is a clear direction and you cannot say you are being secretive. For the towns you do not want to be told what to do. At least you are showing them what an end product that is acceptable so they know how far they have strayed off the path. In regard to inconsistency letters, the SPO staff reviewer ought to attend 3 meetings of the local committee one at the beginning, one in the middle, and one at the end so they understand how much is vested into these recommendations. Also, so they can be there for some course corrections. Sometimes you need a state official to say this is not what we consider as consistent. – Town Planner 2*

*I hate this question. The idea of filling in the blanks does not make sense. It bothers me for a comprehensive plan is what the community is going to decide what will guide their growth and development. – Town Planner 3*

*Very unconstructive – Planning Consultant 4*

*This respondent refused to answer this type of question as she said they were not viable (see previous response at the end of question 3). – Director of Development 3*

*Very unconstructive – Town Planner 4*

*Somewhat unconstructive. You would need to rephrase this but for certain aspects if recreational needs are being provided for. Getting things into a check I*

*list format is going to alienate a lot of people on a lot of issues. It would really need to be something which is obviously intended only to help streamline the process. – Member of Council of Governments 1*

*Formula based approaches- Many states have done a better job and Maine has been rather passive aggressive. The Minnesota or Wisconsin approaches include good materials and had standardized things to fill out. Maine has again, not been more than passive aggressive. We have been trying to let towns be creative and then slam for missing the shipwreck on page 14. If the program is to mandate towns to have outcomes to have better land use and affordable housing, part of it is that we should tell people how to do it after the first year of data gathering and analysis. The problem is that we are using accidental approaches as we do not give directions or standardized formats on exactly what we want. So, it is pretty accidental when it actually happens. Then a lot of consultants do everything differently and we waste a lot of time on how to format the book and what to put in it and tables on projections should be in the front or the back of the book. – Planning Director 1*

*I do not like formula based. When you take one formula and apply it across the board, you end up with something like our school funding formula. Why does a town that supplies a lot of job and high density residential component get so little in school funding? The formulas just do not work and then they get so complicated that there are only two people in the state who understand the school funding formula. – Town Planner 5*

*Somewhat constructive. Leaving the option to have a better sense of what formula based is, I need a lot more definition here. What is the formula? If it is merely an algebraic equation so that my will is your will, that does not work. (Added question: What about efforts in other states?) I like Washington State. They have looked at styles of management as compared to some other states in their region. A top down approach exists in one state and Washington shifted responsibility for review back down to a regional level. This would make some sense in what we should do in Maine. This is a good model in my view. If SPO is going to have credibility in the legislature, they got to get out of a system where towns take weeks, months and years to prepare and review a comp plan and then they say no. – Director of Development 4*

*Somewhat constructive – Member of Planning Commission 2*

*Very unconstructive – Town Planner 6*



5. **Let's talk about the current requirements for a consistent comprehensive plan. Currently, every town has to address all the required elements of a comprehensive plan. Feedback heard by the State Planning Office indicates that this is a "one size fits all" approach that doesn't work well for many towns. One approach to changing this is to create a more customized approach, where the content of a plan would be adjusted according to the characteristics of that town. Using this approach, the state would meet with the town and approve the table of contents for that specific town, before the plan is written. State goals could be weighted differently, depending on the characteristics of that town. Eliminate Example**

**What are your impressions of this? PROBE Pros and cons?**

*I think this makes sense for communities doing a comprehensive plan for the first time but for those who have them in place they should focus much more on targeted areas. – Planning Consultant 1*

*I agree that the one size fits all does not work. The growth management act fairly well articulates what the plans needed to incorporate. If there is no relevance to these topics to the municipality there should be no denial of the consistency of the plan simply because those conditions do not exist. It should be enough to say that there are no forest lands in the community. Personally, I have no problem with what the act requires and the state goals. They need to be looked at in the context of the community. I am not sure that SPO as an entity sitting in Augusta can necessarily get that feel. There maybe some opportunity for regional agencies to have input into the process at that stage. - Director of Development 1*

*Yes, I like it as it simplifies things a bit but it is a lot of work. It is a very good idea. – Planning Consultant 2*

*I think that if you can provide flexibility it makes a lot of sense particularly when you have negative growth up in the north. – Director of Development 2*

*If they generally hit the right topics -yeah, I do not know. The hard thing is that there is some flexibility but the communication is where it falls down. Policies and regulations are not the problem. The understanding of them by the people doing them and the lack of communication about them is the problem. – Attorney 1*

*I think in having a review process as laid out in the statute today. The review process makes a lot of sense. What has not helped has been how the process has been done. This is my experience from the late 80's, and it has been consistently true. It is not just the current personnel in the state planning office but a constant theme in the review process. They are either applying standards for these plans which are not in writing or in the rules and not associated with the statute. Or because that is the philosophy of the office, which is not in the statutes. Or that is the political philosophy of the office or administration at the time. Or they are looking for the communities to supply information and inventory materials that are totally irrelevant to that community. I think it is great for the*

*legislature to say here are our goals and here is what we think goals in communities should be and there needs to be some process to make sure, it cannot be a self-enforcing process. Towns should not be able to say that their plan meets all of the standards. So, somebody at the state level needs to say that so a review process is necessary. – Town Planner 1*

*Having a greater flexibility is a great idea. When a town seeks a comprehensive planning grant and in the grant up date it does the preliminary assessment, which discusses one of the major issues in the plan. This would be analogous to a table of contents. That preliminary assessment is used when grants are reviewed. I asked the reviewer of a recent plan that she might want to check the preliminary assessment. She said she did not know where they were and had never seen them. Another time they were going to do fairly minor update and then were told they needed to have all the other information. The preliminary assessment should be linked into identifying key issues and also to have it link into the whole review process. Cons-Sometimes there are issues in a town that people might not be aware of or want to address. For example, affordable housing. Because of the bad publicity some towns feel that they are not able to address it. There is some risk that some issues might be swept aside. – Director of Planning Commission 1*

*A good idea, I think the SPO has done some of this already. – Planning Consultant 3*

*I actually think that this occurs already on a less formalized basis. When I work with a town and issues are natural resources as they are covered in lakes and they have virtually no housing issues. Then that is what we focus on and I have found that reviewers at SPO recognize that as well. Approving a table of contents is at too general level and why bother with it? These are judgment calls that the consultant makes with the town and that SPO in my experience and opinion already makes when they review a plan. Maybe I am saying this is a non-issue. When I worked for SPO and when I work with towns I advise them remember, remember, remember, do not get hung up on the inventory do what you need to do to create a plan not to write a history for the town or for whatever it happens to be. Focus your energies on the things which are most important and not on every last detail of something which is less important. – Member of Planning Commission 1*

*I think it is really a good idea. My experiences with updates suggest that one of our goals was a really strong goal about regional cooperation. We have strong regulations for wet lands and out two neighboring towns have no provisions for this. Are you telling us that we need to be more regionally cooperative and lower our standards? Sometimes there are good reasons for less regional cooperation. We had a hard time with this as there was no place for us to go on this topic. There must be looking at the state goals and some are going to be more important than others. – Town Planner 2*

*It would certainly be a step up from a one size fits all approach. I do not know if it would work. I question whether the state or the region had better be sitting in on this process. Would they understand the towns well across the whole state to be able to decide on how to weight goals? Maybe it has to be more general. I did*

*not get a feel that the people who will ultimately reviewing these plans and deciding on consistency as to whether they were out in these communities and really understand what the needs of that community are. In any event we had someone who came down early, handed out SPO materials early in the process and told us the state wanted bold plans. We want bold plans they said. I am not sure as to who would assess this as we went along. The review was a two year process and it seems that there should be someone from SPO on site, between the state and the town so that there is really an understanding as to what the town is looking for and what their needs actually are. Also, perhaps to sit in on one or two workshops or public hearings to get a feel for what the community residents are saying. And it is a long process and I do know that planners at the state level cannot be totally involved in the whole process. I think in our case it was weighted too much at the other end of the scale with no context of the town except when I call SPO to ask question about something. – Town Planner 3*

*I am not very impressed with it. All of the topic areas that are needed to be addressed. You should really be looking at natural resources, population and its growth, soils and water resources, and housing. You also really need to look at the economy, and transportation. There is a state highway going through ever town in Maine no matter how small, I think. Public facilities are something to be considered and. I do not see exempting towns from having to look at these very basic topic areas. There are a couple of things that were asking towns to do that I feel hypocritical about because it really doesn't address it or it is window dressing. One of those things is affordable housing and yes, maybe overly restrictive zoning requirements which effect housing prices. What a town can do in an overheated housing market is extremely limited and so we have to pretend to do something. This is one area which could be set aside if you're talking about small towns where people can put in a mobile home. Why do they need to have a whole new set of strategies? I find this an unrealistic requirement. So, rather than have whole topic areas deleted perhaps some of the specific requirements can be reduced. There are not that many but affordable housing is one and it is a painful one and we are all forced to be hypocrites. – Planning Consultant 4*

*This is the question that I was very upset about and asked you about in that note. As you know, this is already happening and this premise is false. This is basically a rumor that people in my view have wanted to blame the state or the program for lack of doing. First, you are mixing two issues. Every town has to address all the required elements of the plan which is true except that there are a bunch of exceptions in the law which create flexibility. For example, if there is not growth in the town and they should not need to adjust and address a growth area. This is already the law and it is already in the program. Why is it in this question? So, it is there because people are ignorant or covering for not wanting to utilize it. They are just throwing mud at the state or saying that the program does not work when all that flexibility is there and there has been encouragement from the beginning. There has always been an encouragement for two or five communities to get together and choose a composite growth area and other areas are rural areas and they just have land agreement that is what everybody agrees and that is what you are after. Everybody was hoping this kind of thing would happen and it is not the state's fault. That is what is upsetting me about this question because it is promulgating a false rumor. The one size fits all approach. There are two elements in the plan-it is an all or nothing. In other*

words you cannot avoid affordable housing and get a 95 on your plan and get consistency. And that is a huge question that if state changes its policies you get a B plus close enough and you are consistency. Affordable housing and growth areas are the two areas where 90 percent of the inconsistencies are at the end of the analysis. They are the toughest nuts to crack. If the community is in a position to do something aggressive to make a difference in terms of affordable housing and to make a dent, the municipality is not up for doing it. Obviously it is a difficult problem. Bigger municipalities have the tools to deal with it then state has to be more aggressively involved on its end and dealing with that alone is too hard. I personally think that the law originally was a recognition that all of these things are important and the question is that in any one community you address it to fit the situation. Where a town is not growing already the standards are you just have to do the minimum. You have to say you are going to monitor it and if it gets bad you will do something. This passes consistency and the place to demonstrate it is it is not a problem here. The laws have already been tailored to recognize it but you cannot skip it but it is a check off and you just have to say it. You have our income, here our houses we have glut of empty houses and we need to get people to move here. And fill them and we have other problems and that is encouraged. You cannot blow one of these off and get a consistency finding. Southern Maine is a hard area to address affordable housing. And it is a difficult problem but when you suggest that it is not necessary you cannot suggest a consistency finding. As the program was envisioned, there should be leverage for the unpopular NIMBY type problems be addressed. You slowed that the problem would get a bit better in that area and it is moving in a positive manner not a negative direction. My main premise is that the question has a lot of inaccuracies in it and that I am agreeing with the premise that there needs to be that flexibility and creativity and that it is not now a one size fits all matter depending on how far you want to go. Tailoring the emphasis absolutely needs to be done and in many ways it already is available. The rules no doubt need to be updated to match the law. There is no question that they are old, stale and need to be updated and it has been addressed and has been deployed. What you have is a lot of people throwing it back to the state. – Director of Development 3

I think it makes a lot of sense. One of the big hang up is the problem of setting up a growth and rural area in your community with a village like setting. People in our surrounding communities as our downtown not their own small town. Should these places be expected to have a village or town center with higher density especially when everyone is putting waste water into the ground? This might not make sense and maybe they need to admit that the downtown is elsewhere and others, like those around a service center, is the downtown. Maybe with affordable housing there might be some financial benefit which would flow to the service center so that the impacts of the service center being the service center, downtown, village center, is not shouldered entirely by the people who actually live in the service center. We are the affordable housing center for a fairly large part of our region. Also we are the recreation center and we pay for its maintenance. It is good that they come into town but as long as we are so reliant on the property tax it is not really fair. – Town Planner 4

It could be a good idea. There is a balancing act of being adaptable and making consistent requirements under the law. Some towns will begin talking with one another in terms of what they are being required to do and what another is being

*required to do. There needs to be a set of rules that can be consistently applied that makes it clear that nobody is playing favorites. It may well be that there needs to be some interim approach or review whether it is based what you have available at the time or whether it is based on when you have certain you submit them for review That might be one approach. As I look at how some towns that have not had zoning before struggle with the transition saving clause as is written and they have 2 years from date of adoption to adopt a whole ordinance versus the same time period for towns that already have zoning to up date the zoning. In a way it might not be a bad idea to have an extension of the transition savings clause for purposes of allowing a town to adopt the bones of zoning and then put flesh on it in two years. Otherwise they may have adopted an ordinance but they are caught with a rate of change that may not be politically feasible and having an inconsistent ordinance in the end anyway which is subject to challenge. Not that the particular challenge issue has reared it s head as a big issue. But local officials in thinking about it and working on adopting a bare bone ordinance and just being able to get it adopted it might be a stress reliever. – Member of Council of Governments 1*

*This would be very constructive. You get back to the scale issues with it. I am working with a small community now that is near another town, one store closed and another stayed open. Tell me about the projected supply of commercial land for development should be in the future based on this data. When you are dealing with a small town so many of the standards that SPO has do not apply. The only mechanism to get some small towns out of the growth area box is for them to do a joint comprehensive plan with another town. There is not a multi municipal plan thing in the statute. There are examples of towns doing this up north. Growth area designation and other elements have to have way different levels of emphasis based on the size of the community and what is there. – Planning Director 1*

*Certainly a good direction to go in. We have these designations of service centers, rapidly growing towns and slowly growing towns and losing population towns. They all have very specific needs that vary a great deal from one another. These are categories that require different things to comply with. A service town and tourist, another category, coastal towns, and this has its own set of needs including seasonal. There are different things in each town that may vary from what is being requested. Some sort of customized approach is necessary. Is it approving their table of contents? No, I do not think so. Lots of towns have no help at all where other cities have full time planners and experts and these small places have none of this and yet they are asked to-do the same kind of planning. I think their issues are whole lot different than other places. Suggest that you work to together with other towns and use a regional approach. There need to be incentives as well. – Town Planner 5*

*My sense is that is essential as one size does not fit all. Let me pick on LURC - it has one plan supposed to cover coastal and barrier islands and western highlands. Even the National Forest Service has unit plans that recognize that there are different demands. There is no difference with SPO with demands on development and having one size fits all. The growth and no growth for all towns in Maine makes no sense. Who determines these? You're supposed to determine this but no some of these are natural forces. Why not performance*

*standards for communities? Washington State said that communities undergoing development pressures have no option but must go to a certain level in land use management and control. It is a preparedness level system and it does not force all communities to be one size fits all what is talking about is what is appropriate for going on by region and by community. – Director of Development 4*

*Ideally the state would review plans and offer suggestions but they would not regulate the content of the plan. I say this as the legal responsibility for the plans rests with the town and not the state. The town has a responsibility to its citizens to make sure plans meet their needs. This may go beyond the time that SPO takes time to review the plan so if there is a cumbersome ordinance, they will need to include stuff that SPO might not recognize. If the state puts down recommendations then the town can decide whether or not to adopt them or not. Towns sometimes adopt plans that the state does not recognize and does not submit them to the state as it meets their town goals. There is a value in the plans regardless of how the state reviews them. That is why the state should be providing recommendations, for instance, here are some problems we see that might create some liability issues for you. Here are some ways they could be reconstituted. And then leave it to the town if that is something they want to do. If the SPO is given authority over the table of contents then it has to be made very explicit in the state law or the regulations what that discretion involves. Some towns will say other towns were allowed to do this but we weren't so further negotiations have to take place. – Member of Planning Commission 2*

*It would be very beneficial. These are municipal comprehensive plans and until there is flexibility built into the system they are not municipal comprehensive plans. Up front communication between the towns and the reviewers makes a lot of sense and can define the issues. Actually, the state should highlight the specific issues they want towns to deal with and the other issues the town can address on their own. – Town Planner 6*

**Another approach would be to loosen the requirements of the Act. If you were to loosen certain requirements, what would they be?**

*Loosening up requirements fits into two categories. First, one size fits all. They should look at differential requirements of non-growth and simplified requirements. Secondly, communities doing up dates should concentrate more on the continuing planning process. – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*Not asked – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*Not asked – Member of Planning Commission 1*

*Not asked – Town Planner 2*

*Not asked – Town Planner 3*

*Not asked – Planning Consultant 4*

*Not asked – Director of Development 3*

*Not asked – Town Planner 4*

*Not asked – Member of Council of Governments 1*

*Not asked – Planning Director 1*

*Not asked – Director of Development 4*

*Not asked – Director of Development 4*

*Not asked – Member of Planning Commission 2*

*Not asked – Town Planner 6*

**How constructive would it be for SPO staff to work with town planning committees before planning begins and pre-approve plan focal areas? Would you say that it would be very constructive, somewhat constructive, somewhat unconstructive or very unconstructive?**

*No answer – Planning Consultant 1*

*Somewhat constructive - Director of Development 1*

*Very constructive – Planning Consultant 2*

*Very constructive. But it needs to be said that more efforts should be launched on the regional basis as there is a lot to be gained from this. – Director of Development 2*

*Somewhat constructive – Attorney 1*

*Somewhat constructive. The problem is not always the content but the problem is you need to have a policy about xyz is one thing but to say you need this policy about xyz is where the rub has been. We can have a preplanning conference and agree on the table of contents but did we flush out the table of contents in the plan enough, which is a content issue, and yes we have a housing policy but does it say what they want us to say? – Town Planner 1*

*Very constructive – Director of Planning Commission 1*

*Somewhat constructive – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*Very constructive – Town Planner 2*

*Somewhat constructive. It has to help as it would improve the understanding on both sides with the more contacts that the state has with the town. I know that regionals are a key and they are heavily involved with this and needs to be – Town Planner 3*

*Somewhat constructive. Where they have tried to do that it has been helpful. When they can meet with the committee early in the process and in then part way through it is very useful. I think that was there intent, but staff limitations have cut this down. Were they have done a pre review an informal one and they come back and meet with the committee which is probably helpful but you still get the objections – Planning Consultant 4*

*No answer – Director of Development 3*

*Somewhat constructive – Town Planner 4*

*Somewhat constructive. As a minimum it could be constructive. I do not think that the state should be in the business of saying that this is not an acceptable plan. They might say that is not enough. But I hope that a town wanted to do something that was not required by state law that the state would not be in a position that no, you cannot do that or do that first. Sometimes towns run with issues that resonate. – Member of Council of Governments 1*

*Very constructive – Planning Director 1*

*Again, this is to assume that there would be tailoring and that the purpose of it is to help them to focus on what their issues are and let the others things go. – Town Planner 5*

*This is hard to answer. I do not see that they would have the personnel to do that in a constructive manner. How many people do they have up there, 3 or 4 people! They cannot accomplish that. Would it be constructive to have that kind of dialogue? Yes, it would be but there is no way that there is enough staff at SPO to go around and to have those meaningful constructive discussions that lead to trust over time which lead to your ability to help them make decisions because that is what it is all about. It is a lot of one on one and a lot of trust. Why should I believe you, you are the same person that gave me advice and then turned around and told me I cannot do it. – Director of Development 4*

*Somewhat constructive. It all depends and is hard to say. What happens is that things change during the process with one person taking over at SPO where another has left and so we have had plans reviewed by two people. And this has*



*changed the focus with the replacement and it takes more time in terms of getting feedback and there might be a lack of consistency and this all takes more time and the data at present changes things so you may be further behind. The extent to which the SPO could be available to planning committees on what they would like to see would be very useful. – Member of Planning Commission 2*

*Very constructive – Town Planner 6*

- 6. Continuing our conversation about the current requirements of a comprehensive plan, there's another idea that would streamline plans is to make them more focused. Some elements of a plan would be designated as essential or core items and other elements non-essential or optional items. Features of the natural environment and land use would likely be the core elements, with other elements being non-core elements. The law and the rule would be changed so that only these core items are reviewed for consistency by SPO staff.**

**What are your impressions of this? PROBE Pros and cons?**

*No answer – Planning Consultant 1*

*It is too much detail and too much effort for SPO to be requiring for a plan that has to be administered at the local level. Focusing and streamlining is a matter for the people in the community if during the planning resources they draw upon the resources available to them. Consulting with the state forest and other agencies that information as been assimilated into the plan then that is the location of where the focus should be applied not as an overall part of what SPO will use. That is something municipalities need to be encouraged but not forced both do own there own. If a plan is not properly constructed it will become obvious roughly over the same period of time. - Director of Development 1*

*Yes, this would be good. However, affordable housing would have to be included. This is what it started out to be. Comp. plans should be looking at what they have as resources, natural and human. The pro is that natural resources have to accommodate to the growth without destroying them. We can address the quality of life issues. The cons are that there is always the tension between economic development and natural resource protection. We have to accommodate economic development and tax base so even if the core is natural resources we have to bear in mind that human activity including housing and economic development impact, the natural resources, and vice a versa. – Planning Consultant 2*

*Yes, this would be good if it could be linked with early reviews and tied to regional services center communities. – Director of Development 2*

*Pros it helps it go faster. The cons are that people might ignore the things that were less important. I am sort of neutral on this one. – Attorney 1*

*What ones would be non core? It is hard to judge what to think of that. Yes, I think natural environment and land use need to be there but what are they*

*suggesting that some communities would not have to deal with them? In my mind a community's plan should deal with all of these issues but in a town of 200 people they should not need to deal with it very much. In small towns there is not going to be anything in terms of economic development. Both the town and the state need to recognize. They are not going to be able to do anything about affordable housing in the broader region. Both the town and the state need to recognize it. They should still address the issue. But this is not an issue that our town can make effective change on. – Town Planner 1*

*I think the Pros are in simplifying the process and the Cons are-trying to determine what the cores issues are. In the examples, transportation, it is a crucial thing on how towns grow, community services-cost of sprawl on others. It is sometimes hard to determine where to draw the line. Having the core items addressed in the local plans would work better if they are some concurrent regional effort to address some of the other issues which might be transportation or economic development which are more regional in nature. – Director of Planning Commission 1*

*All of these issues need to be looked at within the context of comprehensive planning as you want to cover all the bases. The depth to which they are looked at would vary from community to community and planning efforts or requirements should be structured to take that into consideration – Planning Consultant 3*

*I think it makes a lot of sense and it is consistent with the conclusion to the last question. You identify the most important things to focus on at the beginning and I do not think you jettison any thing completely since it is a comprehensive plan but it is a question of emphasis. Hanging up someone on an inconsistency when it is a non issue, I have not seen this happen, but I think is where this would lead to in this line of thinking. – Member of Planning Commission 1*

*I think that the idea of changing the law makes me a bit nervous. As a policy to look at the goals and treat them as a higher priority and they must be, in light of weighting them differently. I think you can keep the law the same but maybe some goals you must comply and others are a second priority. You have to comply but not as rigorously. The idea of two levels will have some merit. I am especially concerned that plans are being held up by pretty minor issues. That seems very unfortunate to me. – Town Planner 2*

*You know, certainly I would be open to see if it would be an improvement. But I do not know. It would depend on what the core items are. Our issues with this had to do more with strategies and we had to spell them out and the state tried to micro manage and micro write our plan. Again, it depends on what the core items are as the inventory is going to stay as it was I would imagine. Affordable housing is an issue here as it is really a problem. Sections of this would have to be core items here. – Town Planner 3*

*Well, I did not have a very good impression here. Before when we brought this up in a different way. It might be for a very small town with very limited resources and public facilities that you give that one short shrift which they do anyway. I have worked with some small towns that did not have public works which are services contracted out as they do not have sewer, water, and the school is the*

*biggest thing in the community and they do not have that much control of that. What you suggest here does not impress me that much as you are able to do that right now. You open up the topic area if there is not much to be said and you don't need to say that much and the state let's you get away with that. I just do not know what the optional areas would be. You have not taken the time to look at least at certain topic areas. It would be very hard. Maybe the capital investment plan is another requirement which is specific and it does not work very well in the plan. Let's just drop it for everybody. Why does it need to be there? Towns either have a capital improvement plan or they do not. No town says we want to grow in this area to the extent of putting in a sewer and expect them to pay for it. Maybe there is a town near a municipal area that does that but I do not know of it. And no towns do it so you can drop that for everyone as well. It was a nice vision in the beginning but real life does not work that way. – Planning Consultant 4*

*The pros-Time savings with resource deployment. The cons are in that they are in the law for a reason and to entirely ignore them is fraught with peril. On the other hand the historic preservation commission will always think that there are core and if they do not get whatever they want they will put an inconsistency tag for historic and archeological preservation. A lot of us have a hard time making this an essential issue. This could be considered but all the players need to be at the table and think through the ramifications. On the other hand, it goes back to the beginning there ought to be a focus for a community on its priority issues and that is where the emphasis should be placed. On the other hand, I do agree that if you have 10 state goals there should be a finding that if you are endangering properties in your community, one of them say historic properties in your community, you should not be able to blow it off. If you have a problem it should be addressed as a part of the plan. – Director of Development 3*

*I think what are core items that are different from community to community. When our committee talked about what we liked or disliked about various issue statements, there was very little talk about natural resources, or the environment. We are an urban community and yet a quarter of the population is rural. We have small lots and we are a little urban area and our issues are much less natural resources. We are looking at land use and our zoning is what we are looking at for developed areas on the waterfront and elsewhere. We have to adjust the focus to fit our needs. – Town Planner 4*

*I do think natural environment and land use are core but there may need to be some minimum of standards that reflect relationship to existing state and federal laws. A town up north might have a priority of economic development whereas some other town might want to be a bedroom community with not a lot of priority for economic development or becoming an employment center in the same way. But maybe there does need to be some level of preliminary assessment that every town goes through which identifies what subject areas are their priority and what are not. I don't know. It would inform everyone at the table and a discussion with the public on what they do or do not want. It would help for a community with limited resources to focus only on the essential items to the state where the local needs might be different and there might not be crumbs or anything left over to deal with those. – Member of Council of Governments 1*

*If a town wants to have different types of zoning with provisions with wet land regulations it ought to have more mapping in this area where other towns would not need it. You have a comprehensive plan so that when you have an ordinance it is backed up by the plan. If you do not have an ordinance or you do not need to an ordinance then you should not have to have a mandated plan worked up on that. I do not want to stray too far from the fact that the code officer is part time and board membership is part time. What they need in their meetings they need technical assistance from people like us. It would be so much more useful for the future of Maine if planners in our agency could be paid to help them to review their subdivisions and advise them about being a better planning board rather than making them go through a four year planning process. – Planning Director 1*

*Yes, I am in favor of that. Again, it goes back to the same things about the service centers and those towns that think they are rural but are actually suburban. It is a good idea. Again, it is targeting what your issues are. In XXX (county), it is adding value to agricultural products rather than growth. 10% of our growth in the south is due to migration from the north. I am in favor of that. It goes back to understanding the service center towns that think they are rural but are truly suburban. – Town Planner 5*

*We have already discussed this. Features of natural environment and land use. Some of those can be broken down. It is no different when we get to further questions. How do we insure that there is compliance? Well, you have subdivision and shore land ordinances out there now by the state as required and if the town does not enforce them then the state will sue the community. The state comes into it as a constructive auditor role to help guide and move the regionals who have the trust level built up which would be part of that process instead of being what we know what is right for your community role. This is where they are at now! This is both a necessary change in terms of practicality and necessary for political changes to be able to go forward to do any business at all. They were like DEP was ten years ago. You could not talk to them so people automatically put up their hackles before they even got there. – Director of Development 4*

*It tends to make sense as the core could include the public utilities, population, housing environment, fiscal capacity, land use and the optional chapters including histories, summaries, recreation and the capital informant plans. This way the size of the plan could be reduced up to maybe a third. If a town wants to address a non essential item, they could deal with it as they chose. Fiscal capacity and public facility, for instance, as they cue spending their own recourses on these elements, so it makes sense to include them. The capital improvement plans are dealt with on an annual basis so it does not need to be a part of the plan but just referenced. – Member of Planning Commission 2*

*Again, this could streamline the process and it could help towns to get to their actual plans. If you set it up that way, the core items would require mandatory consistency and the other ones would have consistency recommendations. Maybe it is not that you lose your state funding if you do not change your recommendations. Rather here are the ramifications of these kinds of recommendations and we suggest you do this way but not make them*

*mandatory. Core items are mandatory and non-core are non mandatory. – Town Planner 6*

**How constructive would it be to separate core from non essential elements of a plan? Would you say that it would be very constructive somewhat constructive, somewhat unconstructive or very unconstructive?**

*No answer – Planning Consultant 1*

*Very unconstructive - Director of Development 1*

*Somewhat constructive. A proviso needs to be added as sometimes in working with a town on what the core issues are but sometimes when we develop goals and this helps to distill goals. Sometimes you cannot do this right away. – Planning Consultant 2*

*Very constructive – Director of Development 2*

*Somewhat unconstructive – Attorney 1*

*Very unconstructive – Town Planner 1*

*Somewhat constructive – Director of Planning Commission 1*

*Somewhat constructive – Planning Consultant 3*

*Very constructive – Member of Planning Commission 1*

*Somewhat constructive – Town Planner 2*

*I don't know – Town Planner 3*

*Very unconstructive – Planning Consultant 4*

*No answer – Director of Development 3*

*Somewhat constructive – Town Planner 4*

*I do not know – Member of Council of Governments 1*

*If it could lead to a lessening of the complexity and compressing of the time frame so that planning is a background supporting role for the operation not a life sucking , mind numbing money wasting charade. – Planning Director 1*

*Very constructive – Town Planner 5*

*Already answered, see note above. (We have already discussed this. Features of natural environment and land use. Some of those can be broken down. It is no different when we get to further questions. How do we insure that there is compliance? Well, you have subdivision and shore land ordinances out there*

*now by the state as required and if the town does not enforce them then the state will sue the community. The state comes into it as a constructive auditor role to help guide and move the regionals who have the trust level built up which would be part of that process instead of being what we know what is right for your community role. This is where they are at now! This is both a necessary change in terms of practicality and necessary for political changes to be able to go forward to do any business at all. They were like DEP was ten years ago. You cannot talk to them so people automatically put up their hackles before they even got there) – Director of Development 4*

*Very constructive – Member of Planning Commission 2*

*Somewhat constructive. It depends on the issue of flexibility. – Town Planner 6*

- 7. Now I'd like to ask you about affordable housing. As you may already know, one of the most difficult issues that arises in comprehensive planning is addressing the need for affordable housing in their plans, ordinances and permitting. Some people have suggested that a state requirement (similar to what is now in place for mobile homes) to site affordable housing either in a town or in a region. Penalties and incentives might be applied to enforce this requirement.**

**What are your impressions of this? PROBE Pros and cons?**

*Regional affordable housing is essentially a red herring. This is meaningless. The State should look at how other states have done this. – Planning Consultant 1*

*This rates up there as my number two pet peeve. I do not believe that a municipality can do anything other than determine which areas in a municipality can handle additional housing growth whether it is affordable housing or not. I believe that designating areas for affordable housing does two things, first, it tends to benefit certain property owners, and secondly, it maintains a ghetto zone on the municipality. Integration of affordable housing throughout the community is far preferable than designating areas. In this city, all of our housing is affordable to a large number of people. What happened with mobile homes was a serious disservice to the state and the town as the regulated have now become there regulators. I believe that the ability of a town to provide opportunities for affordable or upper end housing is severely limited when you have such strict constructs for where affordable housing could go. - Director of Development 1*

*No, you do not want to ghettoize affordable housing. It is a terrible idea. I can see why it was sound for mobile homes because the mobile home association wanted it. Affordable housing needs to be integrated with regular housing. I would suggest that a percentage of affordable housing is made available but no so that is terribly obvious like some of the modular housing mixed in with the rest so it would blend in. – Planning Consultant 2*

*We are currently avoiding keeping with the law. There is nothing wrong with this at the regional level as we in several communities have just figured out where to place this matter. – Director of Development 2*

*I think it is harder with affordable housing as it is more variable than a mobile home thing. Affordable housing comes in a lot of flavors and is different from one place to another. What the mobile home law did was to insure that the towns do not preclude or exclude mobile homes. I don't know that towns affirmatively try to exclude affordable housing. It is just that the market drives up the price of the house. It is almost like telling the town that they have to take proactive steps and require that a certain amount of housing is available in the town. You are telling them to do something rather than refrain. So, I think that is a lot harder. – Attorney 1*

*This concept would be useful for those communities that have not gone through an adequate comprehensive planning process. I apply the same reasoning to the mobile home park statute as well. If in theory we have done a good plan and it has been reviewed and SPO said it is okay and we have adequately implemented it. We are in theory addressing the issues that need to be addressed and we should not have to fall under the mandate of the state to do this or to do that as we have already done it. The DOT did not make any comments to SPO. This would be one of the carrots or sticks depending on how you look at it which in my model would be out there as an incentive for communities to do good planning. If you do not do good planning you fall under these rules. – Town Planner 1*

*I think that this is something that if it were done there would need to be some prerequisite of a baseline study of what regional housing needs are. Housing needs vary a lot from town to town. One of the things that has happened recently is that towns with housing affordability indices of over 1.0 already have had housing objections when these towns already have a large amount of affordable housing. Looking at where are the needs and then some effective means of implementation of assuring that there are ample grants and resources available. The other thing is that what are the existing housing needs in the town and what is the fiscal capacity of the town. A town with a rapid increase in tax expenditures and limited fiscal capacities is in a slightly different situation. Also, you need to look at the employment/job base. Should you have housing distributed when the jobs are in another town? These are things that all need to be weighed. So, it is important to look at the preliminary steps and doing it on a trial basis. Assuming those steps are covered it might be acceptable. – Director of Planning Commission 1*

*Affordable housing is one of the toughest issues; I do not know what the answer is there. Making it mandatory does not make sense for small towns and it is not an issue that they are capable of dealing with. This falls within the realms of regional planning. Around lakes, which a lot of towns have, there is a lot of pressure pushing at the edges of this issue. With resort communities, this issue of affordable housing is coming to us too fast. – Planning Consultant 3*

*I have not thought about that. I like the idea of something comparable to the mobile home statute because the reality is that there is a knee jerk reaction to affordable housing even from people who do not realize they would be the people served by it. I always have to explain we are talking about the policemen, the fire chief, this is the work force, your daughter in school and that sort of thing.*

*I do not know that I would go as far as penalties, but incentives and better explanation of what affordable housing is. That makes sense to me. – Member of Planning Commission 1*

*I did not know that we had to identify areas of town that had to have affordable housing. We made the whole town subject to affordable housing. I do think that affordable housing is one of those really difficult issues to address but I think every town should be addressing it. What I have heard is that if you want people to really address affordable housing, just pass a law that says you have to do it. Do not force it to be done as a part of a comprehensive plan. I think it is a good goal to have in the comprehensive plan. Because it is a state goal we have done it here which we would not been able to do it otherwise I do see that comprehensive planning goals can advance public policy initiatives without having state laws to back it up. – Town Planner 2*

*I would personally steer clear of telling towns where the state wants the town to put affordable housing. I would presume that they should steer clear of where we should put affordable housing. We need to address this in our comprehensive plans. We need to have goals and strategies to guide us regarding affordable housing. We have tried to do this over the years. We went back to look at what our previous plans said and we went back to see what the strategies were and we saw that they did pretty well. We are a town without any growth caps but we were impacted by the surrounding towns that do have growth caps. This was not taken into account when the state reviewed us and they did not take this into consideration as they said we did not meet their goals. They cited a goal that was inconsistent with the goals we had with the community. Our growth has been heavily weighed in the high end as folks who do not want to wait for permits and as a result people have built here as the other towns around us had growth caps. This is not something that the state did not consider in reviewing our affordable housing. There are some regional relationships that need to be looked at in terms of the issue of affordable housing. We need it and we have put together some additional strategies that we are hoping to deal with it. The state should not be telling us where our affordable housing should go. If they tried to do this it would put a nail in their coffin. If you go back 15 years ago the mobile homes park requirements were not that a big of an issue for most towns. They could not survive if they tried to do such with affordable housing. – Town Planner 3*

*My impression is very negative. The question is really whether or not the state can force this to a great extent. This is not realistic as the towns do not have much control on this issue. Towns are not going to be building affordable housing where you can put in any kind of housing you want and that is in quite a few towns, you still have an affordable housing problem. I think that the state needs to back of on this entirely on this as it is not something you are going to discuss very well in a comp plan. The problem is far bigger than what a town can do. The 10% is a goal but the other problem is that we have done is taken away economies of scale by putting in place huge hurdles for large developers to the point where it is not worth it to go through all of this. I have to have 10% but I will build here, there, and yonder. I think that contributes to sprawl. People think that sprawl is a huge subdivision. In a subdivision you have a lot of houses in a small area if it is close to the center. Only the developer can do it because towns*



cannot lay out roads, etc. What we have done is to heap more requirements on the big developers and generally they do not come. Very seldom do you get large developments except for the high end because we have seen them as the bogey man. I get sucked into that because that is the fear in the small towns. So we set a high bar for them and a low bar for everyone else. So we get a low bar development. – Planning Consultant 4

I just think again, the other question I tagged, this is the wrong issue is being presented. Designating areas suitable for affordable housing is not the problem. It is taking the next step of what is going to require that affordable housing will take place there. Affordable housing can go there but so can anything else. That is typically what happens and it is available for affordable housing. But it is not reserved for affordable housing. Or is it something that is going to address the market issues, they are small lots they will make high priced condos just as well as something affordable. I think the question misses the point that the problems are strategies that would insure that affordable housing would be created rather than just a location where it is suitable. The mobile home park treatment alone you would need something with it. Requires that housing built at that area be priced at 80 % of the median income and below can afford it. That is a standard that puts teeth in and location alone will get you there. And I do not think that is typically is the stumbling block. – Director of Development 3

I think that again, it might not be appropriate in real rural communities to do the things to make housing more affordable. And, sometimes the services which are needed by a lower income group are not present in our smaller communities. We in our city have a lot of housing available which is affordable. Lots of the homes are transitional in terms of younger families. The percentage of the renter housing to owner occupied is 40 %. We are shouldering the burden for the region for affordable housing. Should there be a policy of designating these smaller places for affordable housing when the major service center has plenty of affordable housing? So, we serve as the affordable housing for this region. We should then get some state or the town to help us with that burden. – Town Planner 4

First of all, part of the confusion on the issue exists because the existing rules call for the town to identify for the town to identify what percentage which is greater than the 10% that communities are meant to strive to achieve over a five year period. How do you calculate what that is? The state does require a calculation but does not tell you how you have to do it or how you can do it. Some of the newer materials may address that as to how you may do it. I have asked in response to reviews of draft sections and say that this has not been done and they can't tell me a method I can use. It is such a multi variant equation as to all the elements that one needs to predict in order to come up with a percentage. So, I think the state perhaps needs to step in and play a role there through the State Housing Authority or some other agency. Right now my impression is that they are providing some statistical support but their models in terms of characterizing the current need for affordable housing and predicting what it maybe at some point in the future seem to be based on the data package. I have seen different definitions of affordable housing as to the one in the statute, which is housing affordable to people earning 80 percent of median income or less. Maine State Housing uses the median income. I do not know what state or

*federal program is organized around. I think it would be very helpful if there were some way to establish for communities what their regional fair share is before you think about where there is a state requirement. And what the state requirement would include for a given municipality or city. I have never felt that there was a strong connection or explicit rules in the federal fair housing laws and state law in this regard. I am not sure I want to look hard under that rock. There needs to be work force housing and calling it that might make it clear that we are not talking about building houses for poor people and minorities to come into a town from outside as everyone here already has a house but that we are talking about housing for people who already live in the community and move out of there homes in the near future for some other home that is supported by some other new job that does not exist yet and it has been supported by older paid off housing. – Member of Council of Governments 1*

*I think that for affordable housing as well as other things, we in Maine have a system for land use controls in very small jurisdictions. Planning is unlikely to result in any of the outcomes. The DEP minimum shore land guidelines and the Mobile home park law are two examples of programs that have worked. If you believed that house should be 100 ft from a lake and 75 feet for the ocean because you believe that it is good for habitat, water quality, and aesthetics. That is an agreed upon value and everyone in Maine shares that view. Let's think about how to achieve this-make a statute or a regulation that towns have to adopt this as a minimum. Or you could give each town \$25 thousand once every ten years and tell them to meet and make goals and objectives so that the water is protected. Which way are you going to get houses 100 feet from the water? If we had done the shore land zoning program through comprehensive planning it would not be there. Because if you had a desired outcome and your one size fits all obsession is to force people to put those outcomes in a plan document and then you stop. It will not happen because the activity of making the plan sucks all of their money and people get very freaked out and tired. All this is done after spending all that money for a sentence in a plan that says you are going to do something. Perhaps we could have started back in the beginning doing something by simply ordering that something needed to be done if we know that it is the right thing to do. Mandating through something in plan making does not do it. If you cannot get it passed in legislature as everyone hates the idea then why do you think you are going to achieve something by ordering everyone to put that in their plans and then put a gun to your head and if our plan is not consistent we will not be able to have zoning and we will not give you money. These things need a front door approach, if there is an agreed outcome that everyone is looking for, we need to focus on putting these things directly into effect and not into plan making. If in Cleveland and Cincinnati they needed to do something they would not have neighborhood units with 2-3 people in them work on them for four to five years. – Planning Director 1*

*Okay, this is the juggernaut. I have been to meetings where we have talked about bringing up affordable housing and had the Supt of Schools stand up and say, we cannot afford this, it is a bad idea. The truth is that he is probably right. It creates special needs which are expensive for a school system. We cannot ignore this; he was talking the bottom line, not prejudice. There is a problem there. When we get into work force housing, school teachers, police, and how do you, first time home buyers, how do you help them. In my town we spent 6*

months talking about affordable housing and more hours the board finagling; they ditched everything as they could not figure out or understand it as to how these things would get done. I assured them it was not that complicated as we have housing tracts. We need a user friendly guide on what towns can do from the state on affordable housing. I was talking silent second mortgages and going after grants. They could not conceive of it and all they could see was subsidized low income housing. No one could see that it is bigger than this. The administrative part of this seems so big to them that they started to see a mushroom of government and they do not just understand and they are well educated and informed citizens. They asked me to show them some examples; affordable housing has to be done on a regional basis. We need to look and see if affordable housing fits here or should as a service center have people living in the area and yet there is a trade off. When you get affordable housing in a given community it may be higher than what surrounding communities have. There is no extra money for schools and extra services. There is no formula for increased money from the state to assist. If this would happen, service communities would be more open to affordable housing matters. There is nothing to assist with lower income housing and what that dynamic portends. – Town Planner 5

Wow! I think they have missed the point. First, affordable housing, if we are going to look for development and to redevelopment particularly in our urban corridors, we need to have a state that understands that we need redevelopment code and we do not need a fire marshal that applies a new building standards to code. If we are going to deal with issue of sprawl and affordability we need to make use of some of our mill stock and some of our other programs and services and keep the renovation cost to some place where they are reasonable. There are other states that have dealt with these kinds of two step issues. When people tell me that teachers live in another community rather than where the school is, they are commuting. I am seeing sprawl and DMT all based on the issue of the fact that we have a lot of out of state land holders and investors which raises the land values. It all gets back to the regressive property tax creating lack of affordable opportunities. In certain communities this problem is worse than others. We are talking about teachers, firemen and in certain communities it is worse than others. The mobile home stuff was a bit issue in the 70's making sure that we allowed for them to exist. I do not think this an issue as the industry has evolved to such an extent you can hardly tell the difference. What is driving prices on affordable housing is the issue and the reason for this. There is a huge difference in tax rates. – Director of Development 4

The state already has the 10 percent minimum and in our region the state cites that in their review so towns need to acknowledge it. Most housing is built by the private market so I would assume you would need some financial incentives to get more affordable units built. You want to include implementation strategies which are achievable. If you put in strategies that the town has little control over you are setting up the towns to fail. Incentives need to be drawn upon with grants and loans through DECD to improve quality of rental and to build low income housing. You need to have money available in order to have a higher equivalent than the current 10 percent requirement. The state could say that in subdivisions you will need to provide a certain number of houses for affordable housing. The state would need to do this through legislation. – Member of Planning Commission 2

*It would not be that constructive at all. I really hate the state preemption on mobile home rules. The difficulty is that affordable housing is not a local issue but a regional and state matter. If the state persists in saying that every town has to make these provisions for mobile homes, one of the results is more mobile home parks. But you also end up with affordable housing in communities that are not set up to address everything else that comes with housing. There is not the transport system to get folks to and from work, there is no social service, no great employment base. Having affordable housing in east overshoe is a laughable goal but people cannot live there. A better approach is a regional one point, which gets back to flexibility. So folks do not have to drive 60 miles to work from where they live. Non service center versus service center is the heart of the issue. Housing needs to be made in service areas not elsewhere. Strengthen the legal basis for justification of zoning. If you have towns with sewer and water at 5 acre zoning that is absurd. There should be requirement on the towns' part that their zoning density has some relationship to infrastructure and services. You have sewer and water maybe you had to be 3 units per acre and it does not make sense otherwise. This goes to the affordability problem is that town has set up zoning guidelines as such that means you cannot build it. – Town Planner 6*

**How constructive would it be to have state requirements for affordable housing? Would you say that it would be very constructive, somewhat constructive, somewhat unconstructive or very unconstructive?**

*Not asked – Planning Consultant 1*

*Very unconstructive. I do not find them constitutional. - Director of Development 1*

*Somewhat unconstructive. What requirement? The present percentage of affordable housing being assured at 10 percent is reasonable. – Planning Consultant 2*

*Very unconstructive. I am really not sure on this as the state is telling us what to do but then they should enforce the existing law. – Director of Development 2*

*Somewhat unconstructive. The political backlash is too much! It is too hard, everyone wants it but nobody wants to do anything about it. – Attorney 1*

*Very unconstructive – Town Planner 1*

*Somewhat constructive – Director of Planning Commission 1*

*Somewhat constructive. It has to be regionally based. – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*I do not know. It scares me every time the state wants to pass a new law. We have a state planning goal that you have provide for affordable housing. I hear from SPO you have recommendations in your comp plan you need to create*

*them in ways that they can be measured. Why can't we continue on that approach where comp plans include recommendations for action that are supposed to produce affordable housing? Then you look to see if it is produced.*  
– Town Planner 2

*Don't know – Town Planner 3*

*Very unconstructive – Planning Consultant 4*

*No answer – Director of Development 3*

*Very constructive. It is good that there is a state requirement but it does not need to be met in each individual community.* – Town Planner 4

*Somewhat constructive. It depends on what it is. It is a concept worth exploring. It needs to be supported by data depending on what it is to justify what ever it is if it is a requirement and good solid data and analysis* – Member of Council of Governments 1

*What should be done is to address the mobile home park act. They should not allow age restrictions. We are having problems with this as some mobile parks with units with that are in the mid 100's are less but the parks are set up for 50,000 plus or less and so they are being bought up by retirees from Mass. That is a big loop hole in the law on mobile parks. Several communities in the south are meeting their affordable housing goal of 10% because of the 55 plus restricted housing. I do not think that this is fair. But because of this 1A etc and school funding, you go to the planning board say I am going to put in 100 mobile homes and don't worry and everyone will be old and there will not be any kids. It is a winner and they meet their affordable housing goal. We need to strengthen the mobile home law and not allow age restricted or a percentage should be age restricted. We should look at the state of Mass and New Jersey style anti snob zoning kind of thing so that if you build affordable housing you can override local standards. Because that is what the state folks want. MISHA even wanted there to be higher density neighborhoods which would be walkable and 500 square lots apartments, etc. But the vehicle to accomplish this is not by exhorting people to plan for smaller lot sizes.* – Planning Director 1

*Very unconstructive – Town Planner 5*

*No answer. – Director of Development 4*

*Somewhat constructive – Member of Planning Commission 2*

*Very unconstructive – Town Planner 6*

- 8. Comprehensive planning in smaller or non-growing towns. A standard template with a more formulaic approach to planning could be created for towns that don't require or don't have the resources to do a full comprehensive plan. A criterion could be created to determine which towns would be eligible to select this approach.**

**What are your thoughts on this?**

*This is not a good idea – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*Not asked – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*Not asked – Member of Planning Commission 1*

*Not asked – Town Planner 2*

*Not asked – Town Planner 3*

*Not asked – Planning Consultant 4*

*Not asked – Director of Development 3*

*Not asked – Town Planner 4*

*Not asked – Member of Council of Governments 1*

*Not asked – Planning Director 1*

*Not asked – Town Planner 5*

*Not asked – Director of Development 4*

*Not asked – Member of Planning Commission 2*

*Not asked – Town Planner 6*

9. **Comprehensive planning in larger towns and cities. A new approach would be to develop certification criteria to allow qualified cities and towns to do their own plan reviews. For example, if a town could show that they meet certain criteria, such as having a professional planner on staff and having a consistent comprehensive plan in the recent past, then the town could they could be certified to review their own plan and not have to submit it to the state.**

**What are your thoughts on this?**

*This is not a good idea as the state has to make policy decisions that have to be requirements that local communities must meet. State oversight should remain. – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*Not asked – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*Not asked – Member of Planning Commission 1*

*Not asked – Town Planner 2*

*Not asked – Town Planner 3*

*Not asked – Planning Consultant 4*

*Not asked – Director of Development 3*

*Not asked – Town Planner 4*

*Not asked – Member of Council of Governments 1*

*Not asked – Planning Director 1*

*Not asked – Town Planner 5*

*Not asked – Director of Development 4*

*Not asked – Member of Planning Commission 2*

*Not asked – Town Planner 6*

- 10. Let's talk about regional planning: At a two day Summit that the State Planning Office held in August, participants suggested that comprehensive planning could be done more effectively on a regional, as opposed to on a town-by-town basis. By regional planning I mean that either some or all of the elements of a comprehensive plan would be included in a regional plan that would be developed and adopted by people in the region. With regional planning, zoning ordinances and public capital investment strategies could be created by an individual town, but these would have to be consistent with the regional plan.**

**What are your impressions of this?**

*Not asked – Planning Consultant 1*

*It was my sense from the summit that there was increased interest in seeing the opportunity for regional planning enhanced but not necessarily in lieu of the municipal planning. The issues of the current requirements of individual communities could be better met by consortiums of communities. We have three towns in our area where there has been consolidation and they manage and administer the three towns jointly. If they can agree that one will be residential, one growth, and what is the harm in that? That is the will of those communities. Increased opportunities for regional efforts are good. It depends on which area is the service centers and the growth areas this would satisfy a sub regional need as long as each community supports and is accepting of the delineations that are decided upon. - Director of Development 1*

*Mixed- Each area of the state has to be looked at a federalist basis. Each town will need to maintain its identify. Until we create a regional board like they have in Vermont, the decisions will be made on a town level. There does need to be a regional plan. – Planning Consultant 2*

*I am for it and yet I struggle for it everyday as we have one an a half staff people to help in coordination of the planning we are doing, which is insufficient. – Director of Development 2*

*It is an important issue. – Attorney 1*

*No answer – Town Planner 1*

*I think regional planning is appropriate if you look at regional issues, for example, housing, transportation, economy, and water sheds but the problem is that the past efforts in this have not been very well received. Towns would need to be assured that they would have control over the process as a mandatory regional planning effort could cause a backlash against the whole process. Towns need to see the incentive for regional cooperation. Fire departments are often coordinated as there is clear incentive to do that. Trying to get people to cooperate on land use and the like would be much harder. – Director of Planning Commission 1*

*No answer – Planning Consultant 3*



No answer – Member of Planning Commission 1

*I do not think it will not work anytime soon and I think it is a smoke screen for killing comprehensive planning completely. It is really hard to do at the local level so let's shove it to the regional level where they do not have a lot of influence anyway. – Town Planner 2*

*I guess my first question would be who would decide whether the regional plan will or not it be acceptable? Is this going to be another state decision? I do not know. I know we have a regional plan but it has not been updated in a while and it is not what is contemplated here. Although, it is more than what the state has. At least it is a first effort at a regional plan and it identifies some regional issues. My first response is that the region has a better handle and knowledge of what is going on in the region and much greater contact with the towns in their region. They could probably do a better job if they had better financing to be able to do it. Towns would probably be more accepting of a regional created plan that they have to be consistent with. – Town Planner 3*

Highly negative! – Planning Consultant 4

*I am in favor. I agree that one of our problems is having 493 individual efforts going on. It is not sustainable for a resource base and it also misses the point of coming up with effective solutions to growth management issues which occur on a regional level. For both effectiveness and efficiency, I think we have to know what we need to go along with a regional plan, but have just not been able to pull it off. Yes, I agree. – Director of Development 3*

*This may sound odd given my experiences in a regional planning group. Regional planning in Maine does not have any impact whatsoever on the location of development, or zoning, or sprawl or mitigating the impact of development on the state, or the regional resources, highways, etc. Because it does not have any teeth. Should it have teeth? That is the point of the question. It should only have teeth if we can do away from our reliance on property tax. I along with a colleague went over to New Hampshire and they do a fantastic job of regional planning each year with money from their legislature. Unfortunately, it is no more than a senior thesis in planning school as it is never implemented as towns there are reliant on their tax structure. In Maine we do not have a mechanism to share the benefits and burdens of where people live whether it is residential in one, service center in another area. Until the time that we put all of our tax dollars into a common pot and share them. That might work but until that day regional planning means anything it cannot happen. – Town Planner 4*

No answer – Member of Council of Governments 1

No answer – Planning Director 1

*For example, we do transportation planning on a regional basis and it makes a lot of sense. There was a regional plan done for coastal towns in our area but I have never seen it nor was it a useful document. The local planners had little input and the regional effort was done without and real and substantive input. We do transportation and affordable housing on a regional basis and a lot of*

*regional purchasing which goes on a lot which makes a lot of sense. There are a number of things that could be pulled out of towns' plans and just done on a regional basis, transportation and affordable housing, just do it on a regional basis. We should be looking at natural resources on a regional basis as well. We need to be asking the question of what are the significant things in the region. If there are things that fit, like land use can come into play. There are lots things we could do if we had natural resource development on a regional basis. – Town Planner 5*

*No answer – Director of Development 4*

*No answer – Member of Planning Commission 2*

*One of the biggest failures of Maine's growth management program is that it relies on local implementation. Issues of environment, housing, labor, transport have some complement of rationality. Towns do not talk to each other and there is no requirement that they talk to one another. There are artificial lines between towns so I think there needs to be different levels of planning and right now we are trying to do this at the local level and there is not real regional and state planning. All of the RPCs are not doing regional planning, they do planning for towns. One model I like is that it starts at the state capitol with a state plan and you work your way down. In Maine we do not do this which is backward. Yet, we do not we say that every town has to have a growth area. Look up the definition of sprawl and what it means. It means that every town is growing. We reduce everything to refine to the local level-smart growth, sprawl, growth management and when you look closely at these things you see that they may not apply at the local level. We need in Maine a multi level planning effort and I will leave this to policy makers. But they need to work together. When the state says we are not going to build this highway in this area as we have no one in these towns to bring corporate headquarters. – Town Planner 6*

### **What do you think are pros and cons of regional planning?**

*Not asked – Planning Consultant 1*

*No answer - Director of Development 1*

*No answer – Planning Consultant 2*

*It is a good idea but very hard to get off the ground and implemented due to the variation in the economic status of any given community. Service centers are at the core of the issue of where you can locate affordable housing but regions may be strapped with too few resources to be able to do much in this area. – Director of Development 2*

*Pros I think regional planning could be more cost efficient and would streamline things and put things in better context as lot of things are regional in scope. Cons are that it is politically difficult to do as people want to have control locally. It pulls it away from people a bit and it is harder to control and people often feel that they have lost a connection. – Attorney 1*

*It makes a lot of sense and at one time the legislature did as well as it was a part of the law required when the act was passed in 1987. There was an exuberance of concern that the regional planning groups would be taking over the municipalities. There were a number of people who were running around with flags raised and a couple of the legislators took it out. There are certain issues that have to be addressed on a regional basis. Comparing one town's plan with another means that we have to be the tail on the dog they are wagging or we are wagging them. It means that we are looking at the Route 1 or housing market matters in this region compared to other towns. – Town Planner 1*

*See previous comment – Director of Planning Commission 1*

*I think it is important and it should help us focus. It is helpful to have overall regional goals and policies which we did a number of years ago. What happened to that process? What we did was that some stake holders came up with some goals and policies. It was really an overview which was helpful. Another thing a region could do well in addition to data collection and maybe some mapping would be to focus on issues that would be difficult for municipalities to deal with and that are issues can be resolved at a regional level more easily. The issue that comes to mind are: affordable housing, solid waste disposal, and transportation. I do not think that regional planning should be a substitute for municipal or local planning. – Planning Consultant 3*

*Well, I think that the pros are that you avoid duplication among this repetitive data churning. You also get towns that have tendencies to have tunnel vision within yellow lines on a map to look beyond their borders to solve problems and to save money and what have you. It forces a looking outwards. The cons are: manpower and the volunteer base or the social capital if you will to get involvement at the regional level I encounter this all the time. There is a hurdle there to get over which is not insurmountable. Another con which I am not sure how you would deal with is defining what the region is, is it the county or is it sub regions or does a sub region define itself or is it imposed. That is difficult. It needs to emerge itself. A colleague had an organic term for it, some self-emergent thing. Imposing the regions I do not think will work but the hang up I see and here are the 15 towns I have worked with in the last three years. If next year the growth management law says "get thee to a regional planning commission and write a regional plan," where does that leave their existing comprehensive plan and all the work they put into it? And their disbelief: Are you crazy, I put three years of my life on that thing and I am not doing it over again. That is a logistical issue and I do not necessarily know if it is a con. What it does is it makes it harder to get the kind of involvement which is what you need. – Member of Planning Commission 1*

*No answer – Town Planner 2*

*No answer – Town Planner 3*

*Pros I would suppose you would be looking at a regional perspective and I think that makes sense. You get a broader perspective as you're looking at impacts on the region. The cons are that the regional planning entities in the state are*

*fragile creatures of the town. They are not big bold monoliths that can take bold steps. So what you get is like developing regional policies back in the 80's which were very luke warm and general. They were things that don't mean much and do not go anywhere. The last thing they are going to do is to irritate a town into non membership status. It does not work the way things are structured now unless you want very generalized plans that do not say much. – Planning Consultant 4*

*The Cons are that with regional emphasis there needs to be a mechanism for a citizen's engagement so that citizens in an area agree with it and understand it and want to implement it. The bigger it gets the harder it is do to it so it is a public engagement and coming up with appropriate way for governance to work. It is a difficult challenge but we have to work to meet the challenge. There is also the capacity issue as it is impossible for small communities to have sufficient staffing or even enough people for governing. It is a lot of infrastructure that is needed. We often have problems getting enough code officers in every town. There is a lot of ground to cover and not many people in it. – Director of Development 3*

*No answer – Town Planner 4*

*What a wonderful question. I like the idea of regional policies that can be brought into by local communities. The likelihood is that most communities are not going to go so far as to what to specify as to whether they are growth areas or rural areas in a region as opposed to having some of each in their individual towns. The main reason for that may be financial because there does not exist some institutional framework by which their service costs can be raised or lowered in reliable proportion on how their service demands change. There are communities that are happy to be urban and others that would be happy to be rural. On a regional level if that happens then towns may really have an opportunity to limit sprawl and protect rural land uses and character and environmental quality etc. It may be one other effective way whether it is in conjunction with that notion or not. But maybe it needs to be associated with a similar notion of regional cost sharing. We have a smattering of towns that have partial tdr policies in their plans that do not get implemented. There are some exceptions to that which has a local tdr ordinance with sending from rural areas and within the same municipality receiving areas. It has been adopted by the town meeting but I do not know if anyone has taken advantage of it yet. I did some research on tdrs several years ago and maybe this is confirmed by the state's recent study of it. The success of a tdr program has usually had nothing to do with the scale being a regional scale. With the market in development ranks being large and complex enough that it can be regulated through some central authority, whether it is a bank of development rights or that the system is big enough that it begins to make a differences that people participate in it. I am thinking outside the box here a bit. It would seem to me that there should be some way that a regional planning process could more easily consider implementing a tdr system. I do not know what that is but it could be a very good complement to a lot of local plans in that sending areas could be in rural areas and receiving areas could be in growth areas. This would help back up whatever local strategies there were for discouraging growth in rural areas and encouraging in the growth areas. – Member of Council of Governments 1*

*First of all, the regional inventory is something I would love to start tomorrow. Regional land use planning and one of the issues we could do a regional plan. But the voters Maine in a municipality are the only ones who can adopt a zoning ordinance that would implement that. There is a big political hurdle here. Everyone loves regional planning but regional zoning would not be that popular. The real issues for those of us in regional planning. I do not want to run people through planning unless we are going to be doing zoning about it. There is just no reason to do it. It is like financial planning when you do not have any money. So, why plan if you do not have anything. We could get a regional board to adopt something but the local communities have to vote on it. We will need to reorganize the legislative authority of municipalities. The other issue is that regional planning is funded by the municipalities. In order to roll out regional planning we would need to roll out regional planning, we would need to create a tremendous new state program. For instance, our regional organization has an \$8 - \$900,000 budget and we have 10 people working here and the SPO provides us with \$36,000 and all of the rest of the money comes through towns. So, if we invent and we do regional land use planning and we come up imposing zoning on towns and they do not want to do it then they are certainly not going pay their dues. We do not collect taxes so we get member dues with annual appropriations from 39 legislative bodies and annual appropriations from the county commissioners. So, the whole funding structure would have to be turned around. I really see regional planning as being an excellent idea but certain aspects of planning we could be providing models to the towns of what they could be doing. – Planning Director 1*

*No answer – Town Planner 5*

*It is practical and you need to implement it in a way that you're not challenging communities do not lose their identity and that is do able. Pull out the common elements and you talk about that could be provided on a regional basis. One of the most important things is aggregating capital programs. You're buying on of these, how are you doing it? Here is where the meat and potatoes are. If this our goal to drive our cooperative basis do it without telling one community that they have to give up indemnity in favor of another. – Director of Development 4*

*The plans as we draft them are to support the land use ordinance and the responsibility for this lies entirely with the municipalities. If the state designates a regional entity to assume liability and then take away some of the local land use powers that would make a regional plan enforceable. Without such the regional plan is just advisory. Some areas have regional plans adopted by a planning commission and we provide this to towns as they work with their plans so they can see what some of the regional issues are and then address them. To have any force there needs to be something that is put into the growth management act or some other legislation that says your ordinances have to be consistent with our regional comprehensive plan. – Member of Planning Commission 2*

*No answer – Town Planner 6*

**Are there particular topic areas that are more appropriately addressed in a regional plan rather than a municipal plan? PROBE: Which ones? What about transportation, growth and rural areas, public water supplies, affordable housing?**

*Not asked – Planning Consultant 1*

*Depending upon the way in which municipalities align with each other it will determine how housing, water, transport align themselves. We have worked at the local level things have complemented one another. A mechanism to support and enhance that is a good thing. - Director of Development 1*

*Yes, lakes shared, rivers shared, wildlife corridors, and a designation for growth and rural areas all of these need to be addressed on a regional level. There clearly might be conflicts among them so we should provide a forum for negotiations between the towns. Each town would need to write into its ordinances what they want. We should pilot but do not force it. If there are some towns, incent it. Do not do this top down. The self interest of each community needs to come to the table with what they want and have conflicts identified and them negotiation them out. The cons are that is not done well and if it is forced from above it will crash which has happened number of times already. Transportation needs to be looked at as they relate to large scale development. This is accounted for in the site law but it is ignored. Public transport- there are some good regional plans out there. – Planning Consultant 2*

*Yes, but it depends on the infrastructure of the region and quite often it does not work that well but we should be helping communities to bring them together and to work out open space issues and others which effect quality of life issues in regional areas. We do have examples of cooperation in recreational usages in several communities near us. – Director of Development 2*

*Yes, natural resources are regional and almost everything is as well. I do not know what we are calling regional as lots of the services like fire and police are more than one town. It is also like we do with schools is regional service. Transportation for sure, public water will depend on the place. Housing markets are more than one town matters but I do not know what they are calling regions. – Attorney 1*

*Transportation, housing, water quality, most of the natural resources issues, economic development all are really most appropriate to be dealt with at the regional levels. – Town Planner 1*

*Again transport, housing, economy water shed strike me as the major ones. – Director of Planning Commission 1*

*Transportation is an important one. Growth and rural areas and natural resources. I would like to see an emphasis on them at the local level. They should take into consideration regional aspects of each of those and what is happening in the next community over. I have noticed in most rural areas that you can enact these laws but enforcement is another issue which is very frustrating. Community involvement at the ground level is very important. – Planning Consultant 3*

*Definitely affordable housing. We have done regional affordable studies in this region. I think water shed planning and associated with that, groundwater protections, are important. Sometimes though, the issues that should be dealt with as regionally defined are actually different regions. It is not like all of the regional issues therefore define a region. You have a region for water sheds, telecommunication issues as a region. And so, that is the challenge of regionalism. Regions define themselves by themselves not by the fact that you want to put them all together in one document. So, there needs to be some recognition that the composite regional plan for a county for instance could be seven volumes on a shelf. Three or four on water shed organization, another done on telecommunications infrastructure for the county, another might be done for a coastal area for affordable housing as it is not an issue for the rest of the county. There needs to be recognition that there are regional planning efforts that go on under the auspices of other motivators which are peripherally related to the growth management act but are not prescribed by it. In total, regional planning is taking place but it is not necessarily recognized as such. – Member of Planning Commission 1*

*Natural resources, specifically in act for protection, transportation arterial, utilities and regional planning is very useful. – Town Planner 2*

*Transport is a regional issue, affordable housing or housing generally. Economic and industrial development is a regional issue. Certainly there are issues that would be better discussed regionally or town is in a multi town water district and we have been looking at regional issues on that for years. – Town Planner 3*

*Transportation and you could put in affordable housing but they would be very generalized recommendations that would not really mean very much. Transportation is one element which lends itself to regional agency contributing a transportation component for a comprehensive plan. That is one area where a thing might be able to be put together regionally. For example, a transportation inventory for a town in which I worked recently was done successfully at the regional level. You do the same thing for the economy. – Planning Consultant 4*

*Yes, there are some that are more basic. You really need look at the scope of where does the lever need to be applied, natural resources do not follow political boundaries, transport, economic development plans, housing markets and the town cannot necessarily govern how we manage growth effectively in terms of moving people efficiently for their various needs or for their needs -retail, recreation, employment, and housing. All of those need to have a regional component. Historic preservation is fairly localized. At the local level there is still need for land use decisions to be made about infrastructure and deployment which would be combined needs such as sewer and water and a scaled prioritizing of regional investments strategies. Below that there is much more fine work to be handled locally. – Director of Development 3*

*Open space, watershed protection all of this should be done on a regional basis. Back in the 70's regions did regional plans and under 701 planning funds to do this regional planning. We would meet on a monthly basis to act on where we would recommend usage of federal or state funds and we would use the regional*

*plans to act or consider in our recommendations. There was some teeth in them. So, we would consider things in terms of service center support areas and locations of different things, e.g. retirement housing. – Town Planner 4*

*No answer – Member of Council of Governments 1*

*No answer – Planning Director 1*

*No answer – Town Planner 5*

*Some are more important than others water supply, sewer, transport, and what you do to a road in your sections is going to affect my town in my section. People understand that, natural resources is an obvious one, water sheds, what you are doing on your side of the lake as compared to mine. Aquifer those kinds of things which are important to all of us. Those common threads and a common basis. If you talk about regional comp plan around those elements people are willing to come together to talk. When it comes to codes or capital programs you can break into your smaller categories but you always have that touch base that we are all in the agreements on watersheds and aquifer and there is a common thread. When you have a common thread on algae blooms, etc, you strike a cord with people and they are going to say what is it going to take be cooperative and to do this. This is softer stuff but it is building relations that can allow other discussion to take place. – Director of Development 4*

*Inventory of demographic and environmental concerns as they cross of town boundaries as most of the towns do not have the expertise or staff to address those issues. The analysis and inventory of the demographics of region and the environment would be better in a regional plan. Which ones? – Transportation would be one as is a DOT matter and towns often think about their own local roads. Affordable housing is a private sector matter and you would look at that at both town and regional areas and this if designated in a service center the issue of fair share would be an issue. So, there would need to be legislation to handle this. – Member of Planning Commission 2*

*There is a component in every part of a plan, whether it is transport, or something else. There is a component in every comprehensive plan that is regional and local. – Town Planner 6*

### **What do you think it would take for towns to support a regional plan?**

*Not asked – Planning Consultant 1*

*The discussion and the development of the plans must be first have a clear definition where each town wants to go and then a representative sample of planning board members need to draw what ties are needed for tying the community together which all needs to be tied together. - Director of Development 1*

*Having their self interest met. And there have to be incentives. – Planning Consultant 2*



*There is a need to know that there will be regional councils to be able to operate and to be able to bring actions forth for the larger community vision and effort. – Director of Development 2*

*A feeling that there is a benefit to it and whether they are saving money and life is easier and brighter for them because they did not need to go through so much themselves. – Attorney 1*

*A miracle! The town governments, when it was done in the late 80's as a result of the statutory requirement, did some of the regional planning effort which was supported by the towns and they (the towns) got involved. It was really was not a regional plan but a set of policies of what local plans should be addressing and how local plans should interrelate to each other. There was not map of the region that said this was a growth area and this was a rural area and this is important natural habitat that has to be protected and towns must comply with that. – Town Planner 1*

*They need to see a very clear benefit to it particularly in terms of financial benefit in saving of money and time – Director of Planning Commission 1*

*The region needs to show that it can really provide help to municipalities and if they address the big issues, solid waste, affordable housing issues and joint purchasing. Then there is the education part in the technical assistance to boards. What I would like to see is that the COG's identify agencies and somebody to determine what the key regional issues are and tackle those and use them not only to actually achieve something but to show that regional planning can work to the benefit of municipalities. Let's have some successes at the regional level. Breaking down the walls of between towns is really tough and the only way you are going to do it is to show that they can work together positively – Planning Consultant 3*

*I go back to what the regional plan is. They supported, for example, getting an infrastructure for telecommunication, affordable housing assessment as they saw a need and a demand. But you involved not just a county but the banks who provided loans and the people who construct the homes. I think that regional planning has a constituency that is more than just the towns. It does depend on the issue that is there. For example, a watershed organization might have done good work for non source management abatement and it is a regional plan. It then it needs to be referenced in local plans as a great set of implementation strategies which we do need to reinvent – Member of Planning Commission 1*

*A lot more dollars spent on planning then we are willing to do right now. We would need to do a lot of public forums and to prepare education materials, joint meetings. All of these efforts take three times the effort. – Town Planner 2*

*If they are going to be involved in it they had better be involved in the development of it. I think also, that would not be that difficulty to accomplish even though some of the regions are good size. We have a regional board and it is possible that it could work – Town Planner 3*

*Very generalized motherhood and apple pie kinds of things we could all accept. It is not going to work as the currents run the other way. It is not realistic and it sounds good to say let's have a state wide plan. Why not a statewide plan? What is that? When you get right down to it, that would be very general and it does not really help anything at the local level where the decisions have to be made. This would also be true of a regional plan as well – Planning Consultant 4*

*Every town has to understand that they come out of the effort better off. There is going to have to be no money that is lost that would otherwise flow to a town. You want get your revenue sharing but you will not need to build anymore roads. That will be necessary and an effective government system needs to be in place so that public will have confidence in that is truly representative and that it reflects their views. It is a real challenge to come up with but these two things need to happen. A third thing, there is a need for a respect for local wisdom so it does not come across as arrogant we know better than you approach – Director of Development 3*

*Once again, it is going to take the elimination of the reliance on property tax. It is not fair for a service center to carry all of the expenses for housing and other matters. – Town Planner 4*

*Cities and towns have been talking together in regional groups since the turn of the century at a much more frequent and professionally supported manner which is verging itself in integrating itself into coordination of comprehensive plans on an ad hoc basis. Already it deals with sharing of service, facilities, regional transport and regional storm and water issues. Seven transit providers are talking about coordinating their services even though they may stay as separate organizations for a long time. Another area which needs regional attention which does not get a lot of attention is the issue of public water supply and the relationship of water shed protection. The issue of infrastructure extensions as a regional phenomenon on regional land use – Member of Council of Governments 1*

*I do not have a good answer for this one. But I do think for water shed and open space planning we are already working with towns that want to cooperate voluntarily on these things. But each town has to adopt their own stuff because of the legislative system. For several towns in our region towns have a harbor committee and they share a harbormaster. You do not need two harbormasters. They share it but in each town if there is a change in the harbor ordinance we write three identical amendments and they have to be adopted simultaneous at they three town meetings. There is not a system in place to take care of this more efficiently. What really matters in planning is the ordinance part. – Planning Director 1*

*I do not know if it might be enough to say that your comprehensive plans have to be smaller and much more focused but you have to do this other stuff on a regional basis. Because you're doing it on a regional basis we are going to be able to supply with x amount of dollars to do that. Then the targeting part could come in where SPO with all of their data and they look at trends and the various planning districts then they could say these are the things you should look at.*

*Give them some models and money on how they could go about doing that. – Town Planner 5*

*Municipalities need to have a role in the decision process. I think that if they know that, that will help. It does take incentives, but it is as simple as funding the effort to continually bring them together to talk about common issues and opportunities. From that will flow things that are of monetary benefit at the local level and then the process will drive itself. I have talked with SPO and there is a lot of lip service given to regional capital investment strategies and that is where we need to be. There is only so much money going around those things that are going to have the biggest impact on those things that are cooperative in nature will get a couple of points on the priority list from whatever the source of funding is. You need to concentrate on a few things and not that many. The state needs to be that blunt. – Director of Development 4*

*State legislation and they would support it if their town would agree upon it. But not if they did not agree with it. It would depend on what the plans would say. – Member of Planning Commission 2*

*Money. – Town Planner 6*

**What if a town could be exempted from having to address an issue if it was included in a regional plan—such as a regional land use plan or a regional housing plan—would this be an adequate incentive to get them to support a regional plan?**

*Not asked – Planning Consultant 1*

*I do not think it would necessarily. Regional plans will evolve where there is a real gain in inter community cooperation. We have a lot of these that have started from the bottom up. There is nothing new or novel but we do this as a matter of necessity. Necessity is the prime catalyst. - Director of Development 1*

*No, the towns are not that interested in incentives that let them off the hook for comprehensive planning. The hook on comprehensive planning has become very weak. I am afraid the solution of regional planning is going to be seen as the solution to all of our problems and it isn't. Regional planning will not solve all our problems. It will not and we need to be cautious about it. The SMART growth effort makes sense. There are regional projects that are being done gently over issues. – Planning Consultant 2*

*No, not really, as you are not going to be able to make the state role less review at the local level and review more at the regional – Director of Development 2*

*I do not know but you need to have more than one or a few of them. – Attorney 1*

*Perhaps, I do not think it would be an effective one because they would still want to have their own policies. For example, if there is a regional land use plan we do not need to do our own land use plane but our zoning must be consistent with the regional plan. I doubt that they would be willing to go along with that proposition. – Town Planner 1*

*It would help – Director of Planning Commission 1*

*Probably, it would help. – Planning Consultant 3*

*As long as towns participate in the regional one, yes, but I can see them scurrying for the exemption and then not doing anything regionally or locally. – Member of Planning Commission 1*

*I would not grant the exemption till the regional plan were adopted in which case most towns would figure it out it is easier to go it alone. Yes, if you could get a regional plan adopted that everyone agreed to with these features I would give the regional towns the benefit – Town Planner 2*

*I do not know. This would not mean that they would exempt from drafting but not from implementation and it might possibly help the process. The need to get a user friendly process at the State level. We have worked on zoning and other matters and have a group of experts in this town that have expert training and experience. The process of developing a comp plan is easy for us. It is important to talk about this locally, too – Town Planner 3*

*Maybe, if it is affordable housing perhaps it might be something. Affordable housing is an issue that transcends what a tiny town can do. So, that might be an out for that but even at the regional level there is not that much you can do – Planning Consultant 4*

*Yes, it makes sense – Director of Development 3*

*Some of the rural communities would find this as something favorable. Some communities have said outright they did not need to address affordable housing as it is all in the service center. The non service center towns would go for it about it is not fair to the service center. – Town Planner 4*

*I think exemptions need to be substantively based. Maybe exemptions is the wrong word and that cost sharing needs to be proportional. If you begin talking about exemptions your formulaic adjustments to maintain a proportional share of costs as a region changes may not be subject to larger comfortable or predictable shocks to the system. – Member of Council of Governments 1*

*It wood work well for many of the small towns. It would make more sense to participate with other communities or not have affordable housing at all. – Planning Director 1*

*Yes, that would be enough to get them to do it. Money is the key incentive and grant money specifically. – Town Planner 5*

*Probably in certain instances but I do not know that it is an exemption. I would say if the regional plan was done appropriately we concur and adopt it by resolution. In other words, that issue has been addressed as we concur with the finding of the regional plan. I would not get into the exemption thing and when you start it you find it is a slippery slope. If you have a solid basis for a regional plan, a town can say we have not had a house built here in five years and there is no issue on affordability. – Director of Development 4*

*It might be but they would still need a comprehensive plan to support their ordinances. If a regional plan were written to retroactively support a town, it might be an exemption. – Member of Planning Commission 2*

*I would like to see things so that if towns could look at a region and see that this town because of their unique facilities is addressing these needs, they over there are addressing those needs and we can address these needs. – Town Planner 6*

**Are there other incentives that would encourage regional planning? What are they?**

*Not asked – Planning Consultant 1*

*No answer - Director of Development 1*

*No – Planning Consultant 2*

*Money is critical and seed money would need to be available for regional efforts. – Director of Development 2*

*I do not know either regulatory or money. Saving money from having to do regulations. It has to be that there are cost savings and that is the incentive. – Attorney 1*

*Money, for there to be proportionally more money to be available to subsidize regional plans rather than single municipal plans would probably be the most effective. Once the plan is adopted eligibility for implementation with money or higher priority for state grants and other programs and that is what will get peoples attention. – Town Planner 1*

*I have already laid this out in my earlier comments. – Director of Planning Commission 1*

*There is always money. I like the regional grant programs that are available to encourage towns to work together particularly for emergency services and mapping. – Planning Consultant 3*

*Well, anything financial would help. If money goes to regional planning and at the same time it reduces the financial burden on local communities to do their own comp planning. There is an incentive but it must go hand in hand with participating in one or the other. You do not get out so to speak. They will find a way to get out. – Member of Planning Commission 1*

*Cost savings are critical. There are some regional efforts underway and you can look at them and in looking at them almost every time it is because there is a motivation for cost saving. Regional waste disposal compact that have been adopted. Towns which share sewer and utilities they are all doing it because of the cost savings. – Town Planner 2*

*Maybe, going back to the regional emphasis. Maybe this provides a lot of the inventory stuff which helps them make decisions. So they can work on the analysis and how they're implementing them. If the paper work part were minimized so they could get mapping and analysis mapping or the GIS stuff to help the towns. Bring us this stuff and show us what is going on in our community – Town Planner 3*

*I do not know. If you go back to one of the core functions of regional planning, commissions to towns is providing technical assistance. This is clearly one area that towns clamor for. Assistance in putting the plan together is fine. They do not get much financial assistance to put in plans. The support is really just token and SPO has them doing a lot of busy work on things that are really not that important. But that the core function which we have never really supported very well, technical assistance, would be one area of real help to towns as most of them need it. But this is not funded very well. It is clearly an area where there is a need and it can be done with some economies of scale as every town does not need a planner. It is a good way to get the help that is needed out in to the field – Planning Consultant 4*

*In Maine it should be incentive based rather than mandatory. I just think that incentives are limited but jurisdictional authority has been tried before. The responsibility, authority and money have to go together. Since there is no money and so there may not be incentives in the authority to govern or act has to be a matching of authority, responsibility and resources to address problems and they have to be posited in the right place where you can have an impact on the problem. Other incentives, clearly additional money is one of the better ones but it is hard to know where it is going to come from. Certainly more delegated authority for fiscal management. Rights to withhold taxes, use resources in your region and that authority should be granted. You want to do a regional center and you pay for it you should be allowed to do it you should not be needing to beg for approval and other things that should be authority – Director of Development 3*

*Cost effectiveness. And savings and sharing with costs would be something that is fair. Sometimes the service center is funding things twice with the region. – Town Planner 4*

*You know we had some discussion of this recently. I told them from my experience that regional plans are really evolving even in the absence of regional planning framework. They are really coming up as products of the particular municipalities or stake holder group, you might say, and see the need and see the municipal benefit to be a part of the plan. It might be that we move across a spectrum from the most obvious to the least obvious ways of helping every community's bottom line. Land use one is the most controversial and the most indirect in terms of a bottom line. I do think it will be coming. In some ways local*

*policies are coordinated at the local level to address a large habitat block that crosses the town boundary or to do a regional open space plan – Member of Council of Governments 1*

*You cannot make a blanket statement on that. Regional planning only works when there is a defined problem of mutual interest that everyone comes to the conclusion that needs a regional solution rather than inventing an idea and pushes it down because it is a good idea. Affordable housing is a natural for cooperation when you have tiny towns with no capacity to do such or handle even a variance. They are not going to do affordable housing. Regional participation is a natural but regional land use planning is another matter and may not be apparent to people so they would not be excited to do it. So, regional planning be not done as a panacea and but as a reasonable thing to a solution that makes sense to the partners. That is why I get nervous about one size fits all. – Planning Director 1*

*No answer. – Town Planner 5*

*Incentive aspects are a combination of leadership which shows people the benefits and the benefits themselves which should be in part an incentive. If there is a multi community multi benefit approach, hand out a few bucks to them before it goes to someone else. It is a legislative process and we restrict certain grants fund to be in a consistent plan except for transportation which is totally a different matter as it is considered a statewide system. You cannot have one town hold up the entire development of Route 1 up and down the cost unless the environmental review process rules the system. The better incentive is to say if you have a region you have a certain level of decision authority on allocations and programs in your region. This is like the state minimums versus the locally adopted ordinance. – Director of Development 4*

*State grants for writing plans and for ordinances, infrastructure and public facilities improvements that were especially tied to regional plans. The wish list in their regional plan would need to be funded and the state would say we will prioritize them and see what can be funded or requests could be made to local state representatives. – Member of Planning Commission 2*

*If there were regional property tax revenue sharing, it all comes down to money. Does a town give up its economic growth potential to another town? Don't penalized them by not letting them have any commercial taxes but work out a sharing arrangement. – Town Planner 6*

**Should regional planning should be mandatory? What are the pros and cons of this?**

*Not asked – Planning Consultant 1*

*No, but it needs to be a valid option out there. Communities do want to look at things regionally. - Director of Development 1*

*No. Problem is forcing from above – Planning Consultant 2*

*Only if they get the resources to do the work. This would put municipalities into a tough house of cards. – Director of Development 2*

*No, it is just a political thing and forcing people to organize with each other is asking for a political fight and there is a backlash. You have to win over there hearts and minds. – Attorney 1*

*In theory yes, but in reality it would never happen. – Town Planner 1*

*No, I have discussed this above – Director of Planning Commission 1*

*What is mandatory? Only that the COG would be required to do regional planning and it is a good idea. – Planning Consultant 3*

*No, you cannot make it mandatory or it will blow up in your face. You can only do one or the other. Anything mandatory you are going to get their backs up! – Member of Planning Commission 1*

*Yes, political are the negatives and dollars and the positives would be long term efficiencies. Unfortunately, planning is fairly short term – Town Planner 2*

*I'd have the work mandatory reworded as it turns communities off for no good reason. – Town Planner 3*

*No, No, simply the regional plan is not going to do that much. – Planning Consultant 4*

*No answer – Director of Development 3*

*Regional planning is important and needs to be done especially when there are impacts, positive and negative, with things spilling over to another community. It is best if it is done by a regional entity with input or incentive that comes for the state to make that all happen. – Town Planner 4*

*No answer – Member of Council of Governments 1*

*No answer – Planning Director 1*

*The transportation planning is mandatory as it is how we get our federal money. It is pretty clear and everyone does it. I do not know. It is a pretty bold step and it would come under so much opposition that there might not be the will to do it or the incentives would have to be so big. – Town Planner 5*

*I talked about the Washington model earlier. There is room for not letting towns meet certain levels as they cannot be derelict in their responsibilities –there are certain communities that must meet certain levels of planning and what ever in order to be there. There is a way to spoon feed mandatory rather than jam it down their throat. That is what people are opposed to. Who in SPO knows my community and my town? They will not return phone calls. There was a Brookings Institute meeting recently and someone said, our greatest strength is*



*our greatest weakness which is our independence. It keeps us from doing things in a cooperative manner. You lead communities over a certain period of time and you create opportunities for dialogue and trust and cooperation. It takes time but I have been apart of a cooperative effort for around thirty years. These things take a long time to get there it sometimes takes 25 years to get to this point. – Director of Development 4*

*It should be mandatory if the funding is adequate. If the funding is not there it would be optional. If is not adequately funded then the plans will not address the issues sufficiently and then the plan could be come more a hindrance rather than a help. – Member of Planning Commission 2*

*I suppose that the RPC's should have a role but they do not have a whole lot of relationship with each other and there is little continuity within them. They might need to revamp the planning districts. You know we also have something which I think we call counties. Another thing that might make sense that already exists is that we already have county services and county governments and it might make sense to use those facilities to help develop a regional plan. Our at least base it on county jurisdiction or on this jurisdiction as they are bit more manageable. – Town Planner 6*

**CHANGE: Who should guide development of and produce a regional plan?**

*Not asked – Planning Consultant 1*

*It should be a combined effort of the involved participants. Whether it be a regional entity or a private consultant. The core has to come form the individual towns. - Director of Development 1*

*It has to be done and staffed by competent well paid staff in the RPCs – Planning Consultant 2*

*No answer – Director of Development 2*

*A regional entity! – Attorney 1*

*Who should write it? It depends on how you define the regions. The statute currently has not allowed or encouraged multiple community planning. But I do not know if it has ever happened, which is a sign of its popularity. It should be done as a regional planning or commission level or some other logical group of municipalities that make up the labor market area or the SPO extended communities – Town Planner 1*

*The regional planning agencies would be the best source for doing this. – Director of Planning Commission 1*

*A COG should be in charge of writing it. When municipalities are doing comp plans they should look at regional implications of what they are doing. – Planning Consultant 3*

*I think it needs to involve the representation from the communities affected; the regional planning commission in the regions and the economic development district and community development folks and business development representation in the region and that is going to be different in different places. Cultural too, you need to involve the healthy community folks for instance, and cultural and experiential tourism folks. Sustainable tourism efforts are in effect a regional plan as well but we do not recognize them as such. – Member of Planning Commission 1*

*Planners representing communities – Town Planner 2*

*What do you mean by that? Who is going to be the leadership on towns, Regional Planning Commissions? The regional council needs to take the lead. I do not know how many towns have multiple rpc's. The entity cannot be just the council but towns have to be involved and should be involved in the drafting – Town Planner 3*

*Anyone can do it if they want to do so. I do not think it is a meaningful exercise. It sounds good but I don't see that it is feasible approach. So, it does not matter who takes a crack at it as it is not going anywhere – Planning Consultant 4*

*There has to be a regional governance structure established and the current planning commissions and council of government should be looked at as starting point. But I think that something needs to be put more strictly in statute that has more responsibility and authority than what we currently have. More regional, land Use Commission but that they are more like LURC than what we have at the regional level. It does not mean that they make every decision but something more powerful or directly elected or something more powerful than what we have now – Director of Development 3*

*No answer – Town Planner 4*

*I think they should come out of regional councils. This does not rule out private parties being hired by interested municipalities to do the same kind of work or that the two cannot work together. I do think that for municipal officials that this is the venue for them to talk – Member of Council of Governments 1*

*The regional councils are a bit uneven with some very strong and others that are not. There have been some that have come and gone over time. So, they are very uneven. The organizations vary a good bit. – Planning Director 1*

*Our regional planning is not effective at this point. – Town Planner 5*

*Unless you change state law the regional councils were set up to do just that. If you have them and the planning districts established by the Governor that have review authority and things like that. You need to enable the horse that you have got to do the job that is there to be done. You have to put force d'jour behind that. – Director of Development 4*

*If funding is adequate the regional councils should play a role in this. I do not think you can ask entities to do it if they are not adequately funded. It would need extra money from the state and if they could not do it they would have to do it themselves, which is not likely. – Member of Planning Commission 2*

*No one in their right mind unless they have to. Towns have to do comprehensive plans. Maybe the state has to step up to the plate and say that we are going to require regional planning at some level. We will give you money to do it but this is something you need to do. Regions might sort themselves out and 8-10 towns that are a distinct region might come together. – Town Planner 6*

**How constructive would it be to develop and adopt regional plans? Would you say that it would be very constructive, somewhat constructive, somewhat unconstructive or very unconstructive?**

*Not asked – Planning Consultant 1*

*Very constructive - Director of Development 1*

*Somewhat constructive. Who would adopt them and something needs to look at this. If one town does and other does not, then what happens to it and that has to be thought through before you ask that question. Not just the state or the regional planning commission or COG, that is not good enough. It would have to be adopted by each town. We need regional planning but not the way we have been going about it – Planning Consultant 2*

*Very constructive – Director of Development 2*

*Very constructive – Attorney 1*

*Somewhat constructive. If there is the follow up authority or encouragement for implementation. – Town Planner 1*

*Very constructive – Director of Planning Commission 1*

*Somewhat constructive. What would the role of the state be in terms of providing input to the regional plan and review of the plan for consistency with state goals? – Planning Consultant 3*

*Very constructive. With the broader definition I have said – Member of Planning Commission 1*

*Somewhat constructive – Town Planner 2*

*No answer – Town Planner 3*

*Very unconstructive – Planning Consultant 4*

*No answer – Director of Development 3*

*Somewhat constructive – Town Planner 4*

*I do not know! – Member of Council of Governments 1*

*It would be constructive if there is purpose that led to legislative action that planning without subsequent legislative action is wasteful. – Planning Director 1*

*Somewhat constructive – Town Planner 5*

*No answer – Director of Development 4*

*Somewhat constructive – Member of Planning Commission 2*

*Somewhat constructive. It would better than what we have at present. – Town Planner 6*

**ADD: What would the State's role be in terms of providing input to the regional plan and review of the plan for consistency with state goals?**

*Not asked – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*The role should be on the issues that affect the state. For example, in transport if the state sees that some of the plans will require considerable expense. Like commercial use where local zoning has aggravated the problem. Shared marine resources are they being adequately protected – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*They need to recognize that regional planning is taking place at these other levels through these other avenues. They need to look at the state goals through the lenses of these other initiatives that are going on almost regardless of the growth management act. In fact, there is a relevance in the question here. When these things are taking place simultaneously and with motivations and interest from people and the growth management act is on the sidelines and related to comp plans. When all these other activities are taking is should be more integrated with the growth management act. And I think that advancing or expanding their regional planning is the way to do it. – Member of Planning Commission 1*

*How about funding the effort – Town Planner 2*

*The state should have a plan that they have done and they are going to look at the regions to see if the regional has addressed state goals. Being involved as a member of the group so that they bring back information that needs to go into state plan. Sort of a two way process, perhaps. – Town Planner 3*

*Well, perhaps I am not the one to provide meaningful input on this. Because, I do not see it as very feasible. Someone would need to show me an example of a regional plan that works somewhere. If you did, you would probably have to tell me that it is because they have strong county government in that state. So, what the county says goes and therefore the regional plan makes sense. I grew up in the Midwest where we had strong county governments and counties had some zoning authority. That is not going to happen here as regionalism in Maine is on a highly voluntary basis. In many parts of the state it is seen as helpful, needed and provides a valuable service. But in terms of land use control only the technical assistance part of it makes any sense. This is not going to be the answer to our comprehensive plans woes – Planning Consultant 4*

*Someone has to do it, otherwise, you have no policing of anything that is trying to do it or happening. The state needs to be brought into line, but there has been an incentive in the law, transferring jurisdiction to a region as another incentive. The state loses some veto power over some things once regional plan is adopted. The state has not really wanted to give up anything. Goes back to the incentive question. The state has a role in reviewing but it also as a review in respecting and helping to implement the regional plans – Director of Development 3*

*Probably to make this work there must be legislation and expectation of what the legislature wants in terms of the plan. There would have to be a stick requirement that you have to do it or a carrot requirement that there are incentives to make it happen. Create the legislation and what needs to be addressed and what are the benefits of it. – Town Planner 4*

*They could be a great provider of technical support in terms of information and coordination with existing state program and financial support as well if that can be done. There should be some matching local funds and the state should not be engaging with municipalities that are not willing to invest or to put up a share of what they are talking about – Member of Council of Governments 1*

*I guess I do not have any problem with that intellectually. Practically, another issue is that there are only five people working on this in Augusta. The capacity of that office is so low. States that do this have a state plan often. The deal is there is no money, then why do a state plan if it will mean there will be six people? – Planning Director 1*

*Again, the state could play a role in guiding what things fit certain areas and what they should be looking at based on their data trends. And, of course, it is always money and being a sounding board. – Town Planner 5*

*Advisory, and they should work that down through either the consultants or the regionals. They should stick with this. If it is all or nothing kind of thin, it is a problem you're back into the good and bad cop routine. Set the goals and a finding that you have either met them or not and that these projects are or are not consistent with your plan. Sort of like the old 895 review process. – Director of Development 4*

*If they wanted to have that role and I did not know if they want to have that role. They would need to review it like a comp plan to be sure it included an adequate set of strategies for implementation. It would provide that review to see if it were consistent with the Growth Management Act. Beyond that, they could provide money for implementation to write ordinances or to fund land banking and to support housing authorities. Whoever has the money would decide what work is done. We do a lot of work with DOT as they have money to pay for it. We do housing studies for DECD as they have the resources to pay for it. SPO is very limited in their resources so I am not sure they would take on a project they could not adequately fund. The presumption is that they would be spending their time and money to do something which would be implemented and that would cost money. – Member of Planning Commission 2*

*The state goals versus the state plan. There needs to be some consistency between the regions and the state. The state has its affordable housing goals and that list what the regions should be working towards. It is easier for region to achieve those goals than it is a town. And then you get back to the consistency of the local I and the state maybe that determination could be made at the regional level which would make it easier for everyone. – Town Planner 6*

- 11. Let's talk about Large capital projects., also known as "Developments with Regional Impacts" or DRIs. Recent examples of these projects include a casino, LNG terminals and the Plum Creek project. It has been suggested that the regional costs and the benefits of these large projects should be considered, and that a regional public process should be created to review and negotiate these proposals.**

**What are your impressions of this? PROBE Pros and cons?**

*Well this is an issue which is a part of local comprehensive planning. This is not really an appropriate question and I do not know what it means. – Planning Consultant 1*

*The large projects are anomaly to the comprehensive planning process because they are spontaneous developments based on the current state of the international, national, state and locally economies and availability of resources, etc. No community could anticipate those types of things. That being said, this is where SPO could serve a substantial role. These things are emergency possibilities. SPO could help municipalities to help them evaluate the impact of the LCP on the community - Director of Development 1*

*I agree with this. Regional scale has a huge impact and one town cannot make this kind of decision. LERC should do it and regionalism should be on an ad hoc bases. If there is a problem appoint one by the towns and the governor. Decentralized boards, like what is in Vermont, is a way to approach this. There are other models but the Vermont one is probably the best. – Planning Consultant 2*

*This area hits close to home. The problem is that a lot of political people get involved. Technically I would say yes to this and caution that it needs to be monitored very carefully so that the local communities do not lose control as decisions in this area must depend on control and the vision of people in the particular area to be effected. – Director of Development 2*

*You are talking about two different things there. An LNG has some regional impacts but it is mostly local. I do not see this as being as widespread for example. Plum Creek should be looking at how they are going to serve the different developments that they are proposing. It is a sort of a regional question because if it is in multi-towns, by definition, it is a regional project and it needs to be coordinated. LURC is in a position to work on that. – Attorney 1*

*This is what the site location and development law has been all about since 1970 or there about. Yes, it is what we have got. There should be a review process, Vermont has done it for over 30 years and it seems to work out well there. The regional planning commissions are not anxious to take on any type of regulatory authority. It probably is not all that worthwhile to do here. We have the site law which lets DEP do it and expand the criteria in the law to include economic impact and compliance with locally adopted growth management programs – Town Planner 1*

*I think that the pro is that there should be input on regional projects as the entire area is affected by it. The only real con is that sometimes that there is a not in my backyard attitude. And it may be hard to get certain facilities sited anyway. It comes down to issues and incentives. In another state there is a form of revenue sharing so that if a project comes in a portion of the revenue goes out to the other towns affected by the impact. So, if there were some incentive like that to balance it out where all the benefits go to one town and the negative impacts it would make the review of DRI's development impact a little bit more equitable – Director of Planning Commission 1*

*My first reaction was to say look at them at the regional level but let's remember not to duplicate that we have agencies doing these reviews anyway, like LURC and DEP. Consideration of how these projects fit into a regional plan is important. I do not know that if in DEP reviews of projects how much they look at regional planning. There should be an inter agency review to the COGs or whomever – Planning Consultant 3*

*I think regional processes emerge of their own accord to deal with these kinds of things. The people who are involved and effected demand a forum and it gets created in a variety of ways. There are forums sponsored by various groups and town, proponents and they become regional in and of themselves. Another example is the response to the casino issue in Southern Maine. There must be*

*some recognition of this emergence and responses and you cannot anticipate what is going to come down the pike line when you create a town comprehensive plan – Member of Planning Commission 1*

*I understand that these are big projects. We should not overburden big projects with requirements that small projects don't have to meet. Big projects provide the greatest opportunity to promote public benefits. If we put additional road blocks in their way we are just going to promote the development of smaller less organized projects – Town Planner 2*

*I do not know why we have waited this long to have a regional review of projects like this. I cannot imagine why we do not have something like them and we need some review group like this. We should get on the stick and get something before the next big thing comes along. How regional planning group had talked about this in terms of the casino thing and developed some kind of preliminary process we were going to follow We need something in place to deal with these kinds of projects that will continue to come up – Town Planner 3*

*The cons are. It takes a big sophisticated agency to provide meaningful review. Does the land use regulation commission have the staff, resources, and expertise to analyze that plan? There is, in my mind, some real question about them. DEP reviews big projects in their organized territory. I just cannot see having stand by regional agencies that might be called upon periodically to perform this kind of review. It transcends their ability and that of any regional group that I think that you could have. Plum Creek is an example of state agencies working together and there is a question on whether or not they have enough resources. The same question to a much greater degree would be asked of any regional agency. This has to be done at the state level as you cannot have it done at the regional level. You can have some local review I suppose, but if you get into an unorganized territory, it has got to be the state. I have no pros to suggest – Planning Consultant 4*

*You do not do it unless you have the regional plan. They go together, you do not do one without the other. You do not set up one with reactive system without a proactive system so this is one of the debacles of the current system. Even if you go with municipality, only the DOT and DEP have a larger impact and there are current state and federal requirements which goes with the site law. Right now we have system for trying to capture things of a certain scale and they have a state review process with regional input. So there is a system that is already there. There are other regulatory federal rules which exist as well – Director of Development 3*

*There ought to be a regional mechanism to review the positive or negative impact. If a community is going to be host and there are negatives and surrounding communities there are positives in the region and the state there ought to be some incentives to mitigate the negatives and share the positives If an LNG is in your area, how can the benefits be shared around the region and the state? There needs to be a regional review process like in Vermont with Act 250. It is the reason that that Wal-Marts are not scattered all over the state of Vermont. We have a site location act with provisions somewhat like it but is environmental and aesthetic but not really a regional impact process as it does*



*not review things from an economic point of view. What are the economic impacts of some of these things and what effect do they have on service centers along with others in the region? – Town Planner 4*

*There is some level of a provision in the site location law that maybe a lot of municipalities do not know about. Where they feel that they are affected they can get a regional site review. That said it is a different sort of thing with the camel has its nose under the tent. Or the LNG terminal being decided on by one town with extensive regional impact. We need some sort of system. It is not just a regulatory review system, it is one that involves a regional plan which talks about what kinds of regional scale the land usage may be allowed because they are going to be opposed like the casinos, etc. – Member of Council of Governments 1*

*The DRI process may be the best way for RC's to help in development areas. Some RC's have worked on these proposed projects with some success. We need to be clear on the bottom line of them in terms of being sure of benefit and let go of those that do not have potential for an entire region or the state. With some DRI's the site law exists but it is not a DRI process or a substitution for a decent review process. – Planning Director 1*

*There needs to be regional input on those things as they certainly have regional impacts. I do not have a lot of comments here. I have never done this but they definitely have regional impacts and so there should be a separate process for them. – Town Planner 5*

*If you have a regional plan there would be components to set up a structure for this. I do not care if it is Plum Creek or the Wind Farms if you have a regional plan with goals and objectives or the whole idea of having a regional planning district is again to comment on the impact of state plans as they may effect development in the region. This is looking slightly to the left and right. If I am being driven by LURC, I am going to review for consistency, okay, why some of these others do the same thing. We are part way there already. – Director of Development 4*

*It would be good to have to coordinate regional approach which would include RCP and state agencies. We are having DOT and DEP review a lot of large projects through the site law. The question is, is that adequate? Or do we need more review? There could be a potential for DECD to get involved on market studies and areas that might be developed beyond what they currently do. RC's are not regulatory agencies. Would the state be doing this work and moving towards legislation in addition to local regulation? Are, for example, projects without local support to be reviewed by the state or does regional review supersede that or is it in addition? So, if a town did not want something would they usurp the local powers? That would be quite stressful and doing this kind of review would look at costs and benefits and regulatory matters. – Member of Planning Commission 2*

*That is what site location is all about. But obviously it is not. Obviously, there are projects which are too big for one town to review them and the impacts both good and bad go beyond municipal boundaries. There needs to be a better review process for these super large projects. Site location and site plan review at local level does not do it. Is this a new state permit? Does the state delegate down to the country or COG level? – Town Planner 6*

**How constructive would it be to plan for major projects on a regional basis?  
Would you say that it would be very constructive, somewhat constructive,  
somewhat unconstructive or very unconstructive?**

*Not asked – Planning Consultant 1*

*Very unconstructive. They are emergent and will not show up on anyone's radar screen. - Director of Development 1*

*Very constructive – Planning Consultant 2*

*Somewhat constructive. We need to realize the importance of this to the regional area to be impacted as there is no statewide plan – Director of Development 2*

*Somewhat constructive. The site law was created for that purpose and the state was looking at from a higher level. They have found over the years that the jurisdiction of that law has been watered down – Attorney 1*

*Very constructive. If the plans are able to be implemented and if there is a mechanism to implement them. If not it is a worthless exercise. Why go through the process if someone else is in charge? – Town Planner 1*

*Very constructive – Director of Planning Commission 1*

*Somewhat constructive – Planning Consultant 3*

*Very constructive – Member of Planning Commission 1*

*I don't know - I do not think that a regional public process would be constructive. These projects are getting a good bit of review anyway. – Town Planner 2*

*Very constructive – Town Planner 3*

*Very unconstructive – Planning Consultant 4*

*No answer – Director of Development 3*

*Very constructive – Town Planner 4*

*Somewhat constructive – Member of Council of Governments 1*

*Very constructive – Planning Director 1*

*Very constructive. Planning for it is one thing. We should not all be planning for a casino. It is a reaction that in the event something like this comes up that there be a plan to react to that. That would be very constructive. To plan for something that may or may not happen is a complete waste of time. This comes to the heart of planning and as soon as you go there it is hard to get there. Planning is a balance between planning and reacting. Knowing how to react and being able to react can be more important than years of planning. – Town Planner 5*

*No answer – Director of Development 4*

*Very constructive – Member of Planning Commission 2*

*Very constructive – Town Planner 6*

**12. Let's talk a little bit about implementation of plans. For many towns, it's difficult to get a plan passed at town meeting. In others, a plan may get passed, but the strategies in it don't get implemented.**

**In your experience, is this generally true? What do you suggest to improve the enactment and implementation of plans?**

*Well, the state says plans are to be done and everything you say is going to be done in two years. There is a fundamental dummied down of plans. My experience is that you often need more study and have two to three go rounds on a given topic. The simplest solution is a model developed in a local community in which implementation occurs as there is often too much risk. – Planning Consultant 1*

*It takes continued will on the part of the municipality and its staff to sense that there is continual progress made toward implementation. This is probably an extremely difficult element to enforce. The punishment of not following through on things will become obvious to the community. - Director of Development 1*

*Simplify and where there is a consensus and strong energy, even if a plan is still in the works, what is wrong with proposing implementation mechanisms? It would still need to go through the town's discussion process. It would shorten the time between the planning and implementation phase. Shorten the process from discussing an issue to implementation. Do not wait till comp plan is done. It is a difficult problem. – Planning Consultant 2*

*Empower the regions to do more of that work as a basis for good regional growth which would be much more constructive – Director of Development 2*

*The only thing that works is money. If they set priorities it's by default. If it is important to them they will put the money and effort into it. Usually plans wind up more as wish lists than what they are actually going to do. If the state wants something to happen that the towns are not putting in a priority place themselves, the state has to provide the capacity to do it. – Attorney 1*

*Gee, the real answer to that is that the plans need to truly reflect the goals and values, and vision for whom they are being written regardless if they meet the legislature's goals and outlines. And if there is a goal to have municipalities enact and implement plans, I would recommend a whole restructuring of the statute so that towns can do planning and come up with their own results and implement them without having to worry about them. Then there is a whole set of benefits offered to towns that do meet the state goals and guidelines. So, if one town would rather have tourist traps rather than foul mouthed fisherman and smelly bait shacks they do not need to worry about preserving working water front. Their goal is to have a retail center on the waterfront and if they are allowed to do a plan that meets their goal they will write it, adopt and implement it. – Town Planner 1*

*Yes it is generally true. One of the ways that implementation could be helped is to have more resources available for implementation. Implementation grants will help but the funds are highly limited. You need to have the money to meet with towns that are working at implementation and there is a need for more technical support. Making the implementation process more reflective of the capacity of the towns. In some places you cannot get a lot of committees together. – Director of Planning Commission 1*

*The recent and greater emphasis on public participation on the part of writing plans is a good thing. We are being encouraged to do visioning and place more resources on public participation. This is my perception of what is coming down from SPO and it is really important. If we streamline the gathering and analysis of data then we free up resources to put more time into public participation. It is really a big piece of things and it is a good thing which the state has done, particularly the visioning book and other publications and the studies they have done are all great stuff for us in the field and useful for lay planners. – Planning Consultant 3*

*It is somewhat true. I would say that in my experience that few of the plans were not adopted. They usually do not get adopted when they see their back yards and property affected financially. They get themselves organized and get a town council to loosen up the provisions in the plan. This is almost entirely an issue of individual property owners getting organized to keep their flexibility intact. Sometimes plans get adopted because most people are not aware of the impact will be, or they are willing to put up with a regulation but in other towns they are not. Getting plans adopted it takes an enormous amount of time to involve and educate the public. Sometimes plans go down due to misinformation or inaccuracies. So, the resources have to be there to enable a town to hold meetings, have consultants out there and help getting information out there. It is education and education costs money – Member of Planning Commission 1*

*I have not had any problems getting plans adopted but I work in a unique community. I think that it is important that the recommendations are very fair and reasonable. It is important to identify the responsible person to implement each recommendation and how to improve the enactment and implementation of plans would be to provide financial support. It is my understanding that SPO is going to be looking a lot harder at recommendations and plans to make sure that they are*

written in a way that they are measurable which of course makes a lot of sense –  
Town Planner 2

*I was actually working on a current plan and revisited one we did several years ago on how well we had done what we had recommended. Implementation is an important section and something which would be useful for towns are examples of what has been done elsewhere. I continuously look to see what has been done in and around the state and elsewhere. It would be very helpful to implement if the SPO or regional councils were a kind of a repository of good examples of how to do various things. Obviously, staffing at SPO is a problem here. – Town Planner 3*

*It is a struggle in some communities. I am not sure that in the state agency people realize that you cannot necessarily implement all things at once if it is of a regulatory nature. I worked with a community and it took them five years to get an ordinance passed with a couple of turn downs in the process which had citizens up in arms. It finally got passed as their first zoning. Is that all bad? No, it just took longer. If another community makes zoning changes but the building cap does not pass right away. Is that bad? No, it is still in the plan and maybe we might have to come back with a different formula. As long as you take the view that it is a ten year plan and not everything will get passed and there will always be something to keep working on. I do not see that as all negative. You are not going to get everything all at once especially if you have not had zoning before. If it is real easy to implement the plan maybe you do not have a bold enough plan. More money. The state has a formula it gives towns. I do not like to do ordinances because you run out of the money for the big ones long before you are really done. It is again, money, but the state will never have enough funds for everything. Other than local persistence, technical assistance to the community so they are not trying to bite off too much. It is important to not try to be the end all of ordinances. Towns need to start with smaller ones and get them in place and get people adjusted and used to having them in place before going off with 60 pages of standards. Do not worry about the fact that you do not have it as it all will be a flash point even though your plan called for some things. – Planning Consultant 4*

*Yes, one improvement is to adequately fund implementation. It has been very weakly addressed with financial resources. There have been no resources to police what has been done or not. One approach discussed a few years ago was an outcome based approach in which with some milestones of what is expected to be achieved. The question is whether or not your plans for implementation are working or not in terms of implementation. One or two things would be monitored over time. If there is an effective plan to police this in a community and a reward system that is hopefully in place and then money flows their way, there has to be a way if they are serious. All of this is a tool towards an end not to set up a mountain bureaucracy. It is there to meet certain public policy goals. These plans whether regional or local ought to have clear measurable objectives and goals that are looked at every 2-5 years. This means that a data collection system needs to be in place. Now with the advent with GIS this will improve. We do not have it yet as far as what we are going to measure and how you determine, or how a community is meeting their goals. Or how is reasonable progress assessed. If the real estate market is driving everyone of the water front*

*is this really the communities fault and should they be punished? These are big questions. – Director of Development 3*

*Yes, it is true and getting a plan developed and approved at a town meeting is crap shoot. One reason is that we are trying to do too much with the plan. Maybe it goes back to the law and state expectations. There are in our past plans that had a horde of goals and strategies even up to 77. I would guess that no one really knows what they are or for that matter if they have been implemented. Towns should have a more condensed approach and be encouraged to have smaller sections on what they are going to do because you cannot do a lot. You need to do a couple of things that are related to your areas of importance and will have an impact. A couple of things that are economic development related; housing, transport and not have this huge raft on unrealistic things. The communities should be encouraged to make the plans to make them more reader friendly. This is as important as what goes into it. A 150 page document with charts is boring as hell and no one reads it and no one cares about it till a project is proposed to come into the community then they get up in arms on it and go to the plan to show how to keep it out – Town Planner 4*

*Part of this has to do with swallowing a lot of zoning at once and getting it down the town meetings throat. It might go easier in smaller pieces if the time is there as town meetings happen infrequently and how many issues there are to discuss even after the future land use framework has been adopted and what should be in the ordinance and what should not be in terms of feet and where the lines should be drawn on parcels particular land uses. That is part of the answer. I need to say that the tough parts are the things which are regulatory and controversial or things that are desirable and cost a lot of money. Which might be open space protection, infrastructure system -a small sewer or water system or both. Or some agreement with another town to extend infrastructure into a different town. State laws that could allow time for controversial things so that they could be taken in bits and pieces. And state or federal support for the more expensive items to reduce the local share might also be helpful. Implementation grants should be larger. – Member of Council of Governments 1*

*It is terribly true if there was something I could get trained in for this as it is a discouraging area in many respects. Voters in the towns often reject many of the things that are proposed in plans. Votes do not translate into implementation of town ordinances. We should in these efforts fight for the bottom line for what is best for the communities and let go of the rest. It makes sense to focus on things that lead to legislation – Planning Director 1*

*Yes, it is true! Because there is so much stuff in there. Stuff gets put into plans depending on who shows up at the meeting that night. Try to sneak this in or out and then it does not get done and then you get legislation by committee which is a painful process. I do not think I believe in comprehensive planning anymore. I believe in incremental planning as you look at smaller parts of a town or look at larger parts of town but you are dealing with specific issues. You get caught up and get lost in the process and you never get anything done. So, what is the point? – Town Planner 5*

*It is got to be a statement that is going to be true forever. If you can reduce specificity that needs to be in plans and by that the comp plan with its policy goals and investment strategies those were never that controversial. The only thing that was controversial in this poor town is just sitting there and not doing anything. Had to automatically bless somebody's property as being in the development area and somebody else's as not. It depends on how hard you are going to push these communities that are seeing minimal growth. Those communities that are seeing growth do not have much of an issue in putting lines down on a map. Why is this the case? There has been a shift in the needs for the protection elements rather than your restricting me element. A dairy farmer in a given community is more than happy to be a dairy farmer but wonders why his corn land is now taxed as housing lots. You are forcing him to play a game that he does not want to play. – Director of Development 4*

*Yes, to an extent in our region we could break it out with towns with no plans, towns with plans adopted locally that are not found consistent, and towns that show consistency that have not been adopted by the town. Some towns are unhappy with a middle level. I have seen a wide range of plans. Some plans have been found consistent then another town plan that is similar has not, so the towns ask why the variance is there. Why is there a different interpretation? The state has latitude here and I have seen the whole range. The state needs to be more advisory than regulatory. If a state says you need to put in a provision and then the town does not have the support to do it then the state should not do that much to over regulate. – Member of Planning Commission 2*

*Let me ask since I do a lot of surveys. You are you not concerned about city or council government. My experience is with cities and they have their Councils adopt their plans with limited problems. At the town level it is a matter of education of the town leaders and citizens. I have been working in towns that love planning. How do you do that? Democracy is not supposed to be easy and so if you rely on town meetings you live with the difficulties. If you want it easy you go away from "pure democracy" where seven people instead of forty make the decision. The problem with the town meeting is folks go to them with an ax to grind. They are not there for the community benefit but for their own. – Town Planner 6*

- 13. Now let's talk about the role of planning consultants. One of the difficulties faced by planning consultants is that they are being paid by a town and need to do what their client, the town, is asking them to do sometimes resulting in plans being submitted that don't include required elements or are inconsistent with state law in other ways.**

**What do you suggest to resolve this? PROBE: Should consultants be certified in some way? Or contracted by the state instead of towns? What are the pros and cons of these?**

*Financial subsidies to communities is a function of their size. The amount of effort required to do a plan is often far greater than what a consultant can be paid. The towns need to be told what it is they need to do to comply then it is the town's prerogative to comply or not. It is the task of the consultant to advise the*

*town that they may not be in compliance even though it maybe something they still want to do. – Planning Consultant 1*

*Consultants if they are independent agents and if the plan does not contain what it should contain there needs to be conditions in the contract that ensures completion of a properly constituted plan at the time it was submitted. They should not be paid otherwise. - Director of Development 1*

*This is a difficult one but consultants should not work for the state. This is a terrible idea. Consultants have to work for their own and help to produce the town's plan. To even ask this question is outrageous. This is a non solvable problem. This work is very difficult and it is poorly paid. Maybe the solution it to get the process simplified. The consultant should not work for the state and again, this is terrible idea. – Planning Consultant 2*

*Once again, the state should do less than more and figure out how to empower local people. It is not often but sometimes smaller communities get taken by consultants. – Director of Development 2*

*Working for the state the pros would be that they are getting out a network of people to help towns. Cons are that it would set up relationships with towns where the town does not have its expert. It would be the state coming in for them. I could see a lot of pressure on the SPO if that were done. You want the town to have the consultant feel that they are working for them rather than the regulator. SPO has to do a better job of working with towns but towns need to still feel like they have some goals and resources available – Attorney 1*

*This is only a problem for the SPO! Forget that they become state employees. Forget it. If we are doing a plan it needs to reflect who the plan is being done for. If the plan is being done for the state and not for the towns then yes, let the state hire the consultant and do the plans. But do not expect the town to implement or adopt the plan that was not done for them or by them – Town Planner 1*

*Consultants should not be contracted by the state. As that would be a dicey issue of giving one consultant preference over another. Certification is another issue, we have AICP which provides a source of certification and membership in the American Planning Association or others. Certification is always a risk. I know there are very capable people who have not been through the educational program and may not know the minutia required in a certification exam but are really proficient. So, I really do not think that certification is a very good idea. There are many qualified planners and where towns fall down with consultations and the planned development process is when someone is hired without any experience in the realm. That can be taken care through SPO and put out materials on what to look for in hiring a consultant. Also, to stress that citizen groups doing planning without outside assistance may end up costing far more than hiring someone at step one. – Director of Planning Commission 1*

*It is a bad idea! The system as it is set up now works pretty well. The Growth Management and the rules provide the framework for what a comprehensive planning should include. When I put a contract together with a town I use that framework and none of the towns I have worked with have had any problems*



*with this. The links with the plans through grants and the whole thing fits together pretty well. People in the community need to understand that is going to be their plan and having the close relationship with a consultant is contracting immediately with a town is important even if it is only in part perception. – Planning Consultant 3*

*They should not be contracted by the state. The difficulty in working with towns is that they often think the consultant is already with the state. They do not understand that the consultant is working for them. I have to walk the line. I tell them that this what the state will probably expect, can you live with it. This will past muster in one town but not in another. Most towns want to make consistent plans and we can live with it and there is always a conversation that we will do as much as we have to but not too much more. Some put their foot down and refuse and they will not go where the state expects them to go. This often causes a lot of confusion and consternation. Sometimes there are people on the committee only there to protect their own property interests. For a consultant to be there under contract to the state makes things impossible in some cases – Member of Planning Commission 1*

*The state cannot be involved in certification as the consultants need to be working for the client. In addition, they are supposed to be professionals and they need to notify the town if they are straying from what is expected to be the state goal. My only thought on that is we are concerned about there not toeing the line we could require of the consultants to provide a written notification of their status of the comp plans in terms of consistency with state goals. They would not have to submit that letter to SPO till after SPO has done its own independent review. This way you are holding the consultant accountable by saying I told the town you were not going to get there. You are not putting pressure on them to not write that stuff in the letter because it is going to help sabotage the review. Towns are not always convinced that they want to meet state goals – Town Planner 2*

*First of all, consultants are hired by their clients and have to produce the document that their client asks them to produce. It does not mean that consultants cannot try to educate their clients and to explain to them what is meant by the state, if they can figure out what the state means. Ultimately, they are paid by the client and if they are told to do it that way they have to draft it that way. This does not take out the educational part of it. The consultant is going to try to educate the client on how better to do the plan. I have not really thought there was a need for certification. I have not dealt with consultants enough or maybe I do not choose ones that are not any good – Town Planner 3*

*The inconsistencies are not needed, necessarily, to be resolved. Sometimes it is a process that a town needs to go through. Yes, the consultant needs to point out that these are the expectations, some things are always going to be missed. If it is something the committee says, “we are not going to do it and stop bringing it up,” then we have to have to tell them that the state will tell them that this won’t fly. Then we need to sit down and work on it. It is a part of the process. In regard to certification of consultants I suppose you can do it. But is that really the problem? Incompetent consultants fall by the wayside pretty quickly as word gets around. You have to do a good job even if you cannot get it all done. The*

*consultant is working for the town and they should be paid by the people he or she is serving. One of the things that infuriates me, when we get a rejection is when some agency forgot to give us some information so it was not included in the plan. Is that my fault? In one case we did not put in prehistoric archeological resource for a given town. Well, you did not give it to us even though I asked for it. I asked for all of it. Should I be decertified as a planner for that? We need to be a little careful with that one as there are not that many people who are out there to take this kind of work on. I am beginning to be less so because of the painful experience one has in going through the state review process. If I am told you need to take a two week course and pass a test I am not sure that I am interested in that kind of thing. To be certified, etc., etc, there are other things I can do and I do not think I can be bothered – Planning Consultant 4*

*Absolutely, local jurisdictions should select their own consultants. In regard to certification there have been some consultants who have been ignorant of the law or careless or have passed themselves off as competent and the community has selected them and paid a lot of money and the plan does not meet muster. A certification program could at least certify that someone has been exposed to the law and minimum requirements. Whether or not they are any good at their job or do a good job is much harder to monitor. It is a buyer-beware system and they need to look at the experience and record. Most of the people out there that are doing the plans have the minimum training but you would expect that it does not necessarily mean they do a good job. This is a huge failing in the system right now and part of it may go back to the fact that there is not enough money in it to attract and basically demand quality. It is hard with the budgets available for somebody to come out without losing your shirt so it has fallen to the lowest common denominator in many places. The quality of a lot the plans done are regardless of what the law says and regardless of anything else it is a draining job and there are not a lot of fresh people out there. It takes a lot out of you and there is not enough new blood coming into this group – Director of Development 3*

*They need to work for the town as the client; they cannot work for the state. If they are helping the town, they must be working for the town. A certification process is important. If someone is calling themselves a qualified as a planner there needs to be a certification process which is the exam to be AICP after your name. Michigan and New Jersey have gone on record to say that if you are calling yourself a planner you need to be qualified. What this does is sort out some of the folks who don't have this background or training. It is a difficult thing some towns have places that are historic rural farm centers or the like. Some of these communities are against zoning which would allow for high density. They were against it and set up minimal lot size of an acre. Ultimately, if I was working for such a town, I would point out that this was appropriate whether it were the best or not. Planners need to say, "If you do it this way, here are the implications or if you do it that way, here are the implications." It is your choice but point out both so they are aware – Town Planner 4*

*Consultants should not be under state contracts and I do not think they should be certified either. They can be and that is good. The state does not need be involved in this or make this a law. There is some definite responsibility that a consultant has in dealing with a town. They need to inform a town that what they maybe thinking they want to do is not going to be or is not likely to be consistent with what the rules or law requires. Informing them of these kinds of possibilities is expected as normal part of their work – Member of Council of Governments 1*

*The problem with consultants is the program itself. They are sometimes not effective in getting results but they cannot tell towns they cannot do things that the SPO does not want to do it or even if it results in inconsistencies in review. Planning consultants do work for the towns that hire them but could do better work in getting consistent results. Certification is a complex matter. – Planning Director 1*

*I think that is the consultant problem. Can they have a certification program for consultants? Sure, then it is up to the town to decide, which should be voluntary. It is like deciding on child care facilities. Are you getting the best for your money? It is the consultant's job to say when they are going down a path which has legal implications and the plan will not pass and it would not meet the goals of the state. It is their job to point out that if you have a plan, it will get consistent reports. If they want to vary from this and that, is that what they are going to do. Consultants should not be paid until the plan is found consistent. I do not think the state should be getting involved in this as they have other things do. – Town Planner 5*

*In reading the first question prior to the revision it seemed to indicate that a consultant would be less than honest with a community about what it is necessary to do to be consistent and that is just not true. What it comes down to is the town just says no, we are not going to do that and that is not the way we are going to do it. This a home rule state and if we are found inconsistent and that is it and I do not give a &%%\$# about it. So, unless you want to up the penalties for being found inconsistent and I challenge you get that through the legislature, I am not sure where this question is leading. There is almost the inference that they are not being given good advice. They are but they are also exhibiting their right to plan for things differently. In regard to certification, people are going to bid and you know that they are not going to license them. If people want to get their professional credential just like AICP, ok, but it does not mean that people without them are not capable. I do not see what purpose it would serve. If there wants to be a certified pool like teachers that you hire from a pool, I think you are digging a hole that you do not want to be in. There are many communities with well qualified people on their planning board so all they want to do is to have a little oversight help but they want to do it themselves. Would they be precluded from doing it? Are they to stupid to do your own plan? You just do not go there. – Director of Development 4*

*This is hard to address because the consultant is in a contract with the town so it is the towns that are responsible to be sure they are getting what they paid for. The consultant needs to go through the competitive bid process; this is one way you are overseeing this. The qualified consultant would put together a plan that would meet consistency but what if the town says we are not happy or*

*comfortable with this? The consultant said I provided that to them and then the town chose to go other ways. Does the state have the capacity to do certification? Do they have the staff to test people and interview them? If a consultant does a bad job would the state be responsible? They would then have a responsibility to guarantee the work and I do not think that SPO has the capacity to do that. The state should not be in the business of recommending people as a consultant and this can be seen as favoritism or even conflict of interest. – Member of Planning Commission 2*

*I do not like the idea of state contracts for local plans. Consultants have to be honest with the town and you are hired by them and you have an obligation to tell them it will not fly, or you cannot ignore this. Have the initial state comp plan meeting take place so that the state can say your town is in this position you are in and you will need to concentrate on these areas. Your town is 65 people and your 60 miles from the next town and you do not need to worry about mass transit. That is the flexibility that towns should have in a comp plan. But they do not so we have to spend resources on stuff that is never going to happen. Why should a town need to worry about a bus system when they will never have one or it would not work? That flexibility of up front communication and honesty from the consultant and from the state back to the town would be a big help. – Town Planner 6*

**How constructive would it be have consultants contracted through the state?  
Would you say that it would be very constructive, somewhat constructive,  
somewhat unconstructive or very unconstructive?**

*Not asked – Planning Consultant 1*

*Not asked - Director of Development 1*

*Very unconstructive – Planning Consultant 2*

*Very unconstructive – Director of Development 2*

*Somewhat unconstructive – Attorney 1*

*Very unconstructive – Town Planner 1*

*Not asked – Director of Planning Commission 1*

*Very unconstructive – Planning Consultant 3*

*Not asked – Member of Planning Commission 1*

*Not asked – Town Planner 2*

*Not asked – Town Planner 3*

*Not asked – Planning Consultant 4*

*Not asked – Director of Development 3*

*Not asked – Town Planner 4*

*Not asked – Member of Council of Governments 1*

*Not asked – Planning Director 1*

*Not asked – Town Planner 5*

*Not asked – Director of Development 4*

*Not asked – Member of Planning Commission 2*

*Not asked – Town Planner 6*

- 14. Now let's talk about the Regional Planning Councils. These agencies have a variety of responsibilities and tasks related to planning. Some of these include: providing technical assistance for shore land zoning, site location and growth management laws; doing special projects on regional cooperation, providing maps, materials, training, and information and so forth.**

**In what areas of planning do you think the RPCs perform particularly well? Why?**

*Regional councils provide good mapping services. This goes back to the inventory question in terms of supply of data as a standard resource function. Regional councils could play a role providing better information on what is going on in the region to the towns they are working with. – Planning Consultant 1*

*Regional planning councils serve a good role as intermediary between state agencies and municipalities. They suffer fiscal constraints like municipalities do. Their ability to generate output and their cost effectiveness is severely impaired in comparisons to 10 to 15 years ago. They serve a vital role in keeping core issues in the forefront of municipalities' consciousness. Shore land zoning, access management, growth management are the key areas. I have reduced expectations of the value of their community efforts, this falls on the towns. The councils have made a small effort in spite of their being undefined and under funded. - Director of Development 1*

*They vary in quality across the state and they are spread way too thin. They are not good at doing comp plans. They should be doing more technical assistance to towns. RPC professional staffs should be the folks to bring the data out and analyze it for towns. They could have more workshops on doing ordinances. They need to be better funded and not on such a shoestring. RPC's could help enhance the goals of the SPO. They are spread too thin and have need of more funds to do in-depth work and they should interpret the data in a comprehensive way as one of the key kinds of assistance they can provide. – Planning Consultant 2*

*They do very well in providing technical assistance to the towns they serve although this varies depending on staff strengths. There are several good models of RPC work in this state that have taken place over the years and these should be shared around the state in other regions. – Director of Development 2*

*They are good at providing ideas and technical assistance to towns. Consulting is their strength – Attorney 1*

*Having worked for a regional council for a good number of years I have a bias. There is a great difference across the state on how regional councils perform many of their tasks. Certainly some of them have been very strong and provided high level technical assistance at the municipalities' request and in a way that they can use which may not be the way some people in Augusta want them to be doing things. They are great at providing information and facilitating processes – Town Planner 1*

*Regionals do very well in technical assistance in working one on one with towns. Where we need to do more is in the greater regional issues like transportation and affordable housing. One of our frustrations is that we deal with a variety of state agencies, DEP, DOT, etc. We do not have the best coordination among those agencies even though we try. Dealing with the regional issues it would be very helpful to have more support from the state. Maine State Housing Authority has not really had a role and they could help with regional housing needs analysis. This has improved in the last ten years in terms of more support of regional efforts. – Director of Planning Commission 1*

*They have been good at economic development programs and they have been in a good position to joint purchasing and transportation planning are areas that they do well with. Some do well in technical assistance. The councils could help out with mapping if towns cannot afford such. – Planning Consultant 3*

*Providing technical assistance is a role that they do very well which no one else would do if the resources were not there and then these services would not be available. – Member of Planning Commission 1*

*Their best function is that they are conveners for regional efforts because they already have a relationship with all the municipalities. So, they are like the one stop shopping. Whenever you want to do a regional effort everything is ready to go. They are very good at information dissemination. They are also, although it varies a bit, technical assistance sources – Town Planner 2*

*I think our RPC has a diverse group of people working over there. When I need a question I usually get an answer. They provide good mapping and assistance with ordinances, and shore land interpretation. They have tried to help guide me to get SPO information in responses to their inconsistency. Ours does very well. Maybe they have fallen a little short on training of various issues. Although they do a lot of training that I have not participated in. I guess I would go back to the information clearing house and it is the only area where I have called to try to get examples of how to address various land use issues. There is not a great clearing house for information available there or elsewhere which is too bad – Town Planner 3*

*We have touched on this before and what they do particularly well is technical assistance. There are also tremendous differences in capabilities and this relates to the size of the agency. In the cases of a one-person regional planning agency, it comes down to the capabilities of that one individual and you might not get another person with similar skills. It is much harder with the smaller agencies to keep up than with the bigger agencies. But that is a separate issue – Planning Consultant 4*

*It varies so there is not a one size fits all. This why I resist grouping them and this has been a problem. Some do a good job of many things and some not so. They are lumped together and the communities are stuck with what they get. Many councils do a good job of preparing maps and information, but not all of them. Where you have an individual skilled they might do a good job on a special project or they may not. In general, there a lot of burnouts in the system right now. They are tired and they need to get out and let in some fresh blood. It is hampering what the communities are getting for help. It takes fresh thinking and energy and when people are burned out they do not do well. The jobs are hard with a lot of night meetings and they do not pay well and they take a lot out of you. So, they are not attracting new people. Areas where they have not done well are in working with communities to make well informed and tough decisions. They seem too weak in pressing for that. It does not mean that the community may not make the decision. Most of the councils, not all are like this, have not been challenging their clients to make tough decisions which will have meaningful impact. They are bad at that as they have a political reason to duck. You must present good analysis and creative thinking and help the community to find solutions. Forget the state goals. You are in the community and they want to go one way and the forced field analysis is not happening. The clarity of where the leverage points are where we can steer this in a direction that the community wants to go. Most councils are really bad at getting there and presenting them to the community. They are also weak in working through to the best figure of results and they are also weak in meaningful public engagement and participation. A lot of that has a lot to do with the personalities in these jobs as right now they are burned out introverts. It is not that the councils could not do it but personnel who are capable of not doing it and they are not being pressured to put better people in those jobs. It is a hard thing, the personnel management. If there was more money in it you could attract people and demand quality and that is not happening. There needs to be some better understanding of quality. Maybe the state should step in here as their need for an appreciation of what is a quality plan and what are quality decisions so that consumers at the local level can understand the difference. Most average people could, but they are approaching it as novices. And they do on have the training for understanding what true quality is – Director of Development 3*

*Regional councils are an important middle layer of government. In Maine, it is important that it be there. Shore land zoning would never have been possible in Maine and widely accepted if it were not for the regional planning commission. It was not the big brother going out the communities. It was the regional councils which helped to make it work. They are more effective at that as they are creations of the municipalities. They are structured and appointed by the municipalities. That is important and needs to continue. The state needs to fund*

*them and use them more. Having somebody from Augusta going out to community is much less efficient and effective as someone going out for the regions. There are some nightmare stories of Augusta representative not even knowing the name of the town and calling it the wrong name. The regional folks know the towns. They are very effective and could be more effective if funded better by the state. Regional councils should be funded appropriately with better funding. They do well on transportation planning they do not do regional land use planning very well as it will not work till we got away from property tax. Economic development is done somewhat well but has trouble due to tax base issues. They do a good job in technical assistance and in joint purchasing, which is not really regional planning but like a regional government effort. – Town Planner 4*

*Providing technical assistance on the content and providing data in relation to the needs of the towns to which they are bonded are strong points as is providing assistance in developing ordinances. – Member of Council of Governments 1*

*They represent and understand local issues and are good at solving technical problems for their members. They are good at technical assistance and help towns get through a lot of different kinds of troubles. We do get dues from towns and we help them get grants. We also understand what is happening in terms of law changes as they affect towns. We offer course for boards and a lot of other services which are valuable – Planning Director 1*

*I have yet to find an area where they have been effective. Regional councils are there to help towns where they do not have professional staff. When you have professional staff, you do not need to get anything. The impression is that the Council's help out the poorer communities. This is the way it has been. A lot of money gets funneled into them a lot of it over head and I just do not get it. I have never had a need for technical assistance nor have I asked for it. You can go on line and get census information on line. I do have to say that Regional Councils do serve a function and they do a great job on bulk purchasing which is not planning stuff. Contracts like with paving, office supplies, catch basin cleaning, fuel purchasing which has been very helpful. So, they are great at this. – Town Planner 5*

*No answer – Director of Development 4*

*We do a good job of drafting ordinances that are adopted and enforceable. We do a good job drafting comprehensive loans and we do well with transportation guidance and we work with land trusts to insure preservation. We help with permit review and housing assessments with other agencies. We do a lot of fundamental things in the planning process. – Member of Planning Commission 2*

*No answer – Town Planner 6*



**Are there areas where RPC'S work is not as effective? What are they?**

*Not asked – Planning Consultant 1*

*No answer - Director of Development 1*

*RPC often do the work of the SPO and this has not been well managed. – Planning Consultant 2*

*The problem of implementation is a big area of concern. We should look at other models from other areas of the country. – Director of Development 2*

*They are not effective in regional planning or multi-town planning except with transportation in some cases and that is because people don't let them do that. They could do that but they do not – Attorney 1*

*They do not do good regional planning as there is no regional mechanism for implementing the plans. We can look at regional impacts of shipyards closing, etc., but there is no mechanism for the regional council to effect a change. There is not reason for the there to be regional policies or plans as to where housing should go. – Town Planner 1*

*See previous comment – Director of Planning Commission 1*

*They could do more work in the area of education and more leadership in regional studies. I would like to see them work more on affordable housing. The other player in all of this is the Maine Municipal Association and they do a lot in workshops for planning boards. It is good stuff and having models of ordinance working and other resources have been helpful – Planning Consultant 3*

*In my opinion they do not do that many things badly given the financial restraints under which they work. In many cases the demand cannot be met given the turnover of planning boards so quickly in many communities. It is endless and the need for workshops outstrips resources and staff – Member of Planning Commission 1*

*You cannot make the RPC's regulatory when they are financially dependent on their member communities. That is basic even if you're giving them SPO contracts. These contracts are less than 5% of their overall budgets. So, the idea is to make the RPCs responsible for determining consistency is just ridiculous – Town Planner 2*

*No answer – Town Planner 3*

*That would be a regional plan whatever that is. Doing some of this with some of the funds that they get with DOT and SPO money. Sometimes the big picture stuff is not quite as well done – Planning Consultant 4*

*No answer – Director of Development 3*

*RPC's need budgetary help and improvement. If we want to do regional land use planning we have to reform the tax structure – Town Planner 4*

*We could do a lot more to benefit lay boards and planners. This would be more professional education and training for boards as they turn over in terms of members quite frequently – Member of Council of Governments 1*

*Sometimes we are not able to solve the towns' problems as we suggest an approach to get consistency. We cannot be in a position of fixing a comprehensive plan in areas where we see inconsistencies but they want to push us on it. We work for them so we would not want to lose our financial support. – Planning Director 1*

*See previous comment – Town Planner 5*

*No answer – Director of Development 4*

*We are not partisan so that means we cannot advocate for state administration positions. Some state agencies might advocate for something but we do not do such and we cannot lobby or a stance on an issue. We can provide objective costs and benefits on a non partisan basis. We provide a forum for looking at a lot of aspects of planning. – Member of Planning Commission 2*

*No answer – Town Planner 6*

**How would you suggest improving their effort?**

*Not asked – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*See previous comment – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*Money! – Member of Planning Commission 1*

*I think that some of the availability of assistance and quality will vary a good bit between the RPC's. The financing is really tough. My guess is that financial assistance will improve almost any problem – Town Planner 2*

*No answer – Town Planner 3*

*More funding to do what they do well. Some efforts maybe at cross purposes to what towns really need. Regional planning councils are not the only entities involved in bigger scale things – Planning Consultant 4*

*See previous comment – Director of Development 3*

*No answer – Town Planner 4*

*We could really use one person at the state level to do general technical assistance. LD 1574 suggests that we need some support and planning implementation on reading the changes of land ownership. This would be useful – Member of Council of Governments 1*

*More money would help a good deal. We only get to go in when we are invited but we are not ambulance chasers – Planning Director 1*

*See previous comment – Town Planner 5*

*Different councils and councils of government are of different levels because of their age, sophistication of the area they are in so there is quite a bit of variance. But this gets back to the commitment the state made for a certain amount of capacity in every regional planning commission to create the linkage between the legislature and the state agencies and the localities. This has been diminished to a point that it provides a fraction of a staff person rather than several staff members which would be necessary in a distributive form of government. You cannot legislate and implement all from Augusta with a handful of staff people if you want to have reasonable impact. There needs to be some distributive form of technical assistance and guidance. The planning boards change constantly and they need to be reeducated. As long as you're shifting that burden to that level then they are the responsible to keep up their capacity to keep up with the issues. If you are going to take that away from them and go to a county form of zoning or a regional form of zoning and enforcement and you are going to have a regional planning agency which is the zoning board for 2,000 miles. Then you have removed that impediment and that is not likely to happen in Maine. You have to find a happy mix between the guidance and technical assistance components and slowly build yourself a structure that might evolve into that over time. – Director of Development 4*

*We are very limited with our funding and we can only take on what our municipalities request. So, we do contracts and ordinances for the most part. If the state would say we want to do more regularity work and they provide funding that would make sense. Our money comes from the municipalities and our state funding from SPO has been unchanged for the past 25 years. This limits what we can do and we do what the state wants us to do. – Member of Planning Commission 2*

*It is hard for me to speak in general although I have to deal with a RPC. They seem to do well with in helping towns with comp plans, ordinance work, project reviews, purchasing and they seem to be doing a lot in helping their communities with planning efforts. Some RPC's do not do as much as other. We have COGs*

*and RPC based on water sheds tied to the regional entities. Some RPC s are large some are small so there is a lot of difference on their funding which limits what they can do. They are also limited in terms of what their board of directors tells them. Maybe if the state changed the legislation to say these are the minimal things you need to do – Town Planner 6*

- 15. Finally, let's talk about the role of the State Planning Office. The state planning office is currently focused on state policy issues, on giving technical assistance to communities on their planning effort, and on reviewing plans for consistency with state goals and law.**

**What do you think are the strengths of the State Planning Office and in what areas do you think it performs well?**

*The strengths of it are providing data and a willingness to judge plans by state requirements. It is their job to call plans as they seem them, good or bad, and to their credit that is the job they do. – Planning Consultant 1*

*Overall, SPO has a vital role in many of the issues confronting the state and municipalities but I also believe that on a more focused level there is too much room for the injection of bias on the part of staff into the process for comprehensive planning. Having a requirement that this "Great American Neighborhood" concept becomes the law of the and in the state of Maine. This is reasonable but inappropriate. It is great for mill towns that have experiences of having people living close together, but it is an alien culture to many parts of Maine. That type of expectation undermines the effectiveness of the SPO as a resource. It sets up an adversarial relationship because those particular biases have a tendency to alienate those in municipalities against being able to access the skills, talents, resources that are present at SPO. Those are difficult things to overcome. - Director of Development 1*

*It has been with their work with habitat and in the economic sector where they analyze data. In comp plans they have been a disaster. The objective of SPO should be to build the planning capacity of the towns so they are equipped and capable with doing ordinances and with a good plan. Then they can deal with their issues. We have lost sight of what the purposes of this office are. In advocating for a certain way to come up with comp plans they have jeopardized their role as a neutral support provider. – Planning Consultant 2*

*They are strong in policy areas and providing communities with experienced advice when they can get out to them. – Director of Development 2*

*Strengths- It has some smart people that get a lot of information in a central repository – Attorney 1*

*Their strengths are focused on state policy issues and I do not have any direct experiences with them giving technical assistance. – Town Planner 1*

*They are strong as a technical assistance resource in terms of putting out technical assistance manuals and the knowledge of staff on growth management issues – Director of Planning Commission 1*

*Their strengths are the studies they have done over the years SPO is looking at what other states are doing with respect to planning and they are looking for new tools and different ways to do things and the latest technology and that is an important role for them to play. The oversight and leadership to the growth management act and its interpretation is important. – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*Their number one strength is that they are the interface for planning with all of the other state agencies. There is a lot of expertise up there – Town Planner 2*

*No answer – Town Planner 3*

*Well, what they are doing well is that they are hard working and dedicated and committed. You cannot compare them to the dead wood in many other in state governments. They are bright people and do get out in the field a little bit. When you actually do get the reviews there are some intelligent well thought out comments. “Here is problem and here is a solution.” They try to meet with the town committee at least once. I think they understand growth management. All of the people I have met are trying to do their jobs. Some are more capable than others – Planning Consultant 4*

*Is this looking at what is happening now or what it should be? I will infer that it is what it should be. Because right now there is not much going on for state policy efforts but there has been this focus in the past and there needs to be again. The focus of putting it on the towns to solve this in comprehensive planning makes little sense. If there is going to be a growth management program there has to be a place where the broader and bigger picture view and the state wide actions need to be headquartered. The SPO is a logical place for it and it is under funded and is not being given needed attention. Progress was made in the last administration having growth related capital investments downtown and there were things put into statues to bolster the state contribution to meet state goals. I do not know where that is it could be in the governor’s office. It should be in the SPO where this kind of planning should take place but there is little state planning going on outside of waste management. It is a distributive approach. The SPO role in technical assistance is another matter as much of this should be a shared responsibility of municipal associations. The level of technical assistance is a question of what resources can be deployed. It is not an issue of generating good examples of comprehensive plans which is usually in the hands of the consultants. It is impossible for 5-6 people to do all of the things they are now trying to do. SPO should review plans and evaluate them in terms of state wide efforts and look at the data to see how everyone is doing. Are the implementations working or not? – Director of Development 3*

*In a perfect world the SPO would be a state planning entity. What would help the state and all of its agencies to try to connect the dots. That is what planners do. How is everything connected? A state goal to maintain capacity of highways.*

*DOT is not just building but what are the impacts of this effort. Several years ago I was on a board that looked at regional transport. No one connected it to the cost of sprawl which would have actually funded people to live in the countryside. The state planning organization SPO ought to be the entity connecting all of the dots and exploring for the state and the legislature. When the state funds school busing we are encouraging and funding people's right to live in the countryside. A small part of what they do should be assessing the consistency of the comprehensive plans. This is not the role that the SPO should have nor should it be their main focus. I do not think of SPO as regulatory but advisory. It is not regulatory in fashion. Ultimately if a plan is inconsistent with the law then it should, in the end, be decided in a court and SPO would have to assist the judge to see if is consistent. If any town or city is going to get funding they need to be sure that their planning was done properly and then they would get this benefit. I do not know how much they really do state planning. Does DOT? Are they supportive of DECD policies? There needs to be someone looking at those dots – Town Planner 4*

*The SPO does a good job of keeping Regional Councils informed as to what the latest requirements and changes are for comprehensive planning. They need to keep us informed on what the latest technologies are and provide more models or examples of water usage and reducing sprawl – Member of Council of Governments 1*

*The SPO does not have any strengths. I am saddened by the performance of this office. I am hard on them but they do not follow through on things the way they should. They are extraordinarily poor and their program may never be fixed as it has gone too far. The time period that they use in doing reviews has over the years been inexcusable. A few years back after a change of personnel some of the plans that I had been working on which were lost were rediscovered in the basement after a number of years. You cannot excuse this kind of thing. There is a small staff of five and the work they are doing is under funded. This is a huge problem area and if you look at other states that might have this small of a staff you can see that they have failed as well. The program has not done well and they cannot work as slowly as they have – Planning Director 1*

*No answer – Town Planner 5*

*No answer – Director of Development 4*

*They do well in their flood plan management program and in their code enforcement officer training program. They stand out in those areas. For their land use they would do better to be more of an advisor rather than regulator as it gets them into difficulty with towns. For other agencies, like DOT or DEP, they are better equipped to handle regulatory matters. I have not seen SPO do a good job at regulatory matters. – Member of Planning Commission 2*

*No answer – Town Planner 6*

**Are there areas where SPO and SPO staff are not effective? What are they?**

*Not asked – Planning Consultant 1*

*Not asked - Director of Development 1*

*Not asked – Planning Consultant 2*

*Not asked – Director of Development 2*

*Not asked – Attorney 1*

*Not asked – Town Planner 1*

*The shortcoming is that there is not an understanding of regional and municipal capacity as there is more expected of towns sometimes than is realistic and there is a tendency to get bogged down in minutia. They need to avoid being over involved in municipal decisions. They need to understand that many of their actions raise hackles in the small towns. They need to be better at understanding what the town's local situation is. There needs to be better recognition in term of being more realistic about what the towns are willing to do. They push bolder and smarter plans and some towns are not ready for that – Director of Planning Commission 1*

*Not asked – Planning Consultant 3*

*No answer – Member of Planning Commission 1*

*There have been issues in the past with timely responses to comprehensive plans. They understand they cannot do this anymore. I would make sure that they are careful that when a municipality sends their plans there, that they respond in a timely fashion. I have said this before that they need to embrace their role as regulators as they are dancing around this issue and they look silly – Town Planner 2*

*Oh Boy! I don't know what to tell you about them. They need to get out in the communities more and better understand the state and the variety of needs in these communities across the state. I understand how difficult this is as they cannot be on the road all the time. It would benefit them to have a state plan. So, they would go through the same process we are going through from which they could learn a great deal. – Town Planner 3*

*Well, there is a tendency in all agencies to keep writing rules and quite frankly I no longer go to the rule book. I start going through and stop and say I will take the objections if I miss something. There is a tendency to make things more complicated than they have to be, there is a tendency to be rule oriented to protect themselves. There is a tendency still not to be clear about expectation for different categories of towns. So that when you go to a tiny town in the rural part of the state, we do not go through the same machinations as we would with a larger town and we do not. The expectations are not that high and it is not always clear where you fit into that scheme of things. – Planning Consultant 4*

*No answer – Director of Development 3*

*My biggest beef is that it takes too long make it quicker. Maybe they have been delving too much in requirements that are not in the rule or the law but might be asserted by certain staff folks as the proper way to do planning. That needs to be sorted out. Do what the legislature has said they should do and they should not go beyond that. – Town Planner 4*

*The SPO needs to respond more quickly to questions we ask of them as it often takes several days for them to get back to us. They need more resources to function – Member of Council of Governments 1*

*No answer – Planning Director 1*

*No answer – Town Planner 5*

*SPO could do even more with the collection of the assessment and organization of data that it can then be sent down. You do not need to have everyone collecting data all the time. There are economic impact sectors; I know they took out energy from there. But there are different kinds of energy in planning and the issues associated with it. They have a strength and a central process to handle some of those kinds of things. Where they are weakest is that they do not have enough staff to cover some 400 municipalities. For a small staff to take on that one on one role with however many communities it is just not practical. They should be setting the goals and targets. They should know what the state's investment strategy is going to be, I should know how the investment of transportation and conservation and IF&W and Maine's for lands future. What is the big blue print? Where is all the state's money going, for what reason, and what is the intended outcome? There ought to be guidance and direction of building five technology centers. What is the best place to build them? No, we sent that out for a competitive bid process and said, "Who is ready to go?" We will put them down wherever the political wills may think they should be. Are they succeeding? That is a role for the state planning office. There is a fine line between data analysis and management and strategic investment. What is the state's role in going out and finding more federal dollars that are on a multi community basis for the delivery of whatever? I am talking about grantsmanship and that is a role that SPO could play that goes across government. One of my advocacies has been that if you have DECD and you have strategic planning and that should be in your department of economic and community development and should it be a lead agency within there. If the governor needs an advisory council for data, policy, fine let him have the governor's office. But, where is the coordinated planning coming out of a department that is supposedly in charge of economic and community development? How more fundamental can it be? – Director of Development 4*

*No answer – Member of Planning Commission 2*

*No answer – Town Planner 6*



**How would you suggest improving with respect to their effort? (Background: there were slow responses to local concerns and late plan reviews in the past. This problem has been corrected, with no late reviews in the past 18 months. However, people may still complain about past experiences.)**

*They could improve in tailoring materials and making presentations that relate to the local needs of the communities that are doing plans. They could improve their communication and staying in touch with towns doing plans despite their small numbers so that they are more familiar with what the state needs are. They also might consider more phased planning reviews which might be helpful as sometimes two years can go by which puts them into an adversarial relationship rather than a cooperative process. – Planning Consultant 1*

*Regurgitating just what exactly on what it is and how it is that SPO positions itself in respect to comprehensive planning. If they are to be resource to address the 10 state goals, that is wonderful. If they are going to be a silent participant in the process where state agencies other than SPO can superimpose conditions on towns that have not necessarily been in the goals they are not acting to protect the state or the municipalities. - Director of Development 1*

*Focus on building a planning capacity and don't be the big stick, don't be the cop. If a town has issue they have a hard time with, be creative and do a workshop on it and work with them. They should do workshops and pull in towns that are having problems and their role would focus on issues and become a clearing house on a higher level rather than just providing data – Planning Consultant 2*

*They need to do their work more efficiently. They could benefit from looking at how DOT does regional planning and learn from them. – Director of Development 2*

*They need to get information out to towns and be more interactive with them so that they have a two way relationship and the communication is better so they are not viewed as someone from away that is going to come and impose something on people. They need to hire good people who can get out there and make sure that they are talking with the towns as they do their comp plan reviews – Attorney 1*

*Plan reviews and the timeliness issue have been addressed. I am concerned that SPO is imposing policies that they have not put in their rules and for which there is no statutory basis either in the comprehensive planning law and in any of the other associated statutes. Go through rule making and then put them in your rules and then apply them. Do not start to apply them until you have done that. – Town Planner 1*

*See previous comment – Director of Planning Commission 1*

*I do not understand the late review issues as I have never had any problem with this. The only thing I can conclude or wonder about this might be that some plans maybe harder to review than others. If things are written up, try to be consistent. That makes the reviews easier, but I do not know. – Planning Consultant 3*

*At SPO, there are lots of very good professional and technically superb staff for the most part, especially in the leadership. A very good customer service orientation, they try, but there have been some staff members who do not have the technical capabilities that are needed. I wonder sometimes, but less at SPO than at other state agencies. I wonder about their understanding of the reality of deep dark rural towns and what it really means. They need to be more aware of how limited the volunteer capacity is. There is dedication but not that many people. This is not across the board but there is a lack of understanding. Sometimes it is much worse in some state agencies. Of any state agency, SPO has a better understanding of municipal government of anyone. They are also hamstrung by budget constraints. There is a requirement for them to come out to meet with the towns and some of the things we have spoken about today would have even more meetings. Yet, they do not have the budget to send their staff out. They are as restricted as many regional councils and other are as restricted by budget as they are – Member of Planning Commission 1*

*No answer – Town Planner 2*

*I do not know! – Town Planner 3*

*No answer – Planning Consultant 4*

*See previous comment – Director of Development 3*

*No answer – Town Planner 4*

*SPO and the state need to tackle a huge problem over time and our reliance on the property taxes and the school funding formula. The State needs to wake up to the environmental concerns and find ways that energy conservation can be effected. Without renewable sources of energy we are going to be in trouble. It is not very consequential to be worried about wind farms blocking views when the sea level continues to rise – Member of Council of Governments 1*

*No answer – Planning Director 1*

*The SPO staff does presentations which are quite good because they have the money to put such things together. The pictures, the images you need, they do the publications for the entire state so they are tested in the field. On planning issues they are not as good. What they produce is full of jargon, nor is it user friendly. SPO has been good at doing state wide publications with technical writers producing them. This is a good thing for them to do along with keeping track of all the data. They do get the information out to us on a regular basis. Those are things they have done well. I just have not had enough interaction or the need to deal with them. So, I cannot say much as I have never had a bad experience with them. I can see where they could run in trouble but I have a good impression of them. – Town Planner 5*

*No answer – Director of Development 4*

*Do less regulation work and more advisory. Leave regulation to other agencies which have staff and who have more training in specifics and people who can go on site to meet with developers etc. SPO used to do that for comp plans and do the same for ordinances so they have rescinded part of their role. I do not know how much control they have on their own land use roles. There are state agencies that do work more effectively and efficiently. They need more staff or pair down their responsibility and get more into the advice side of things. SPO may be working more towards policy to insure that laws are followed but they are limited in terms of resources. – Member of Planning Commission 2*

*SPO staff is impressive and they know what they are doing. They have a lot of desire to do innovative stuff. They also get a lot of stuff dumped into SPO which may not be part of what they should be doing, like code officer training, solid waste which all diverts from what they should be doing. I think they need to do better outreach to communities. Someone in the State of Maine should be training and nobody is. Maine Association of Planners does not want to train planning board members. MMA does some training for planning boards once in awhile but I am not sure they are approaching it the way it should be. Training would be a real good role for the state and to get out and do training planning boards members or local members and help provide planners for the new ones in the area and to help bring them along. SPO has been somewhat emasculated and have lost their role in the state administration and they have been misled and they do not project much authority at this point. This points in one direction as to why this has happened. They have been innovative voices for change and the current administration does not want to hear it. So, these are some of the things they need to change to improve their functionality. – Town Planner 6*

**16. Are there any other comments you'd like to make on the topic of planning and land use in Maine?**

*The state should take their limited resources and focus on the main areas of state and the communities that need growth management. They should put their money there rather than in broad brush efforts. Rather than having communities on the firing lines work with them to find a way to get things done. Some communities are doing planning studies where there is no growth and where there are limited resources. – Planning Consultant 1*

*It is a critical need for the municipalities in the State of Maine. There needs to be a shift away from the focus of it being a potentially... a punitive situation in terms of ejection of a plan because it is considered inconsistent. There should be a focus to help communities reach consistency without trampling on the egos and the sensibilities of well meaning folks at the local level who have a genuine interest in their community. They have parochial feelings and ideals and have them dashed on the rocks in a rude and sometimes callused manner. This undermines what should be a critical part of what every community's mission is. The concepts that are out there for suitable communities are good and reasonable and optionally beneficial to the community. But they will not occur if the comp planning process is so distasteful that both the development and evaluation of the end product makes implementation almost a negative likelihood - Director of Development 1*

*Stop advocating and start helping. Get out of the review mentality. If you insist set up a citizen board to which staff who would make recommendations. It is not leadership if you force an outcome on an unwilling town. It is wrong for SPO to be pushing smart growth. The smart growth is right but SPO has not gone about it right. It has actually set back smart growth. – Planning Consultant 2*

*One other thing which is really interesting is that there has been a lot of interest and attention paid to economic development. There has also been too much time spent on environmental and land use issues in the state. What other issues and concerns do we have in the state besides land use? How do we capture and use the fact that more and more people work at home now and so land use is really much less important than it once was. – Director of Development 2*

*I have seen both sides of this issue. There is some confusion around the clarity of SPO's rules. Planning is not an exact science so that the more they can do to explain what is good and not good up front and what they like to see in terms of good and bad ideas would really help the situation. Gathering information in advance and helping in that information gathering right up front would help a lot – Attorney 1*

*I have hit the important parts of my thoughts on these issues. – Town Planner 1*

*No, I think I have pretty much covered it. – Director of Planning Commission 1*

*The whole thing about throwing out SPO just does not make any sense at all. I think that one piece of state legislation which is truly remarkable is our state shore land zoning laws which have been around since the early 1970. They are not perfect and we have tweaked them over the years, maybe more often than some of us would like. They provide some sort of a model and guidance on how we deal with growth management which something that might be looked at. More flexibility is a good idea which we have already talked about. We need to remind ourselves that planning is a process and we need to look at it over a couple of years in trying to achieve things. We do not want to lose these wonderful things in terms of the local level. A lot of us who live in small towns treasure that and a lot of people in Maine treasure it as well. We do not want to lose that and it is a strength we have in our communities. If people in a community all agree on something which is not always it something, which is a real strength. – Planning Consultant 3*

*I think that the shift to a regional planning approach that lessens the burdens on individual municipalities would go a long way to addressing the complexities that are overwhelming town governments. And, I think this whole direction of looking at the growth management act with a view to addressing things more regionally and including broadening the definition of a region is a great direction to be going in, as is this process of reaching out to find out what people think. I am delighted. Also, this interview process you have done has been an efficient way to do this in setting this up - times to talk and having the questions in advance. Time efficiency is an important consideration for me. – Member of Planning Commission 1*

*I think it is important to preserve the public sense of credibility in land use regulations. That means that the regulations need to be rational as we are playing with people's private property. When you have to write a comprehensive plan you are raising the bar on what you are thinking about in terms of regulations and it is also the underpinning of your regulations. To de-emphasize comprehensive planning it takes it down the road of then having problems with individual property owners complaining about arbitrary and unclear activities by local communities – Town Planner 2*

*I don't know! I do believe in comprehensive planning and it is extremely important to towns to be able to decide themselves, what they need and where they need help. They need technical advice. We need, in the worst way, viable models of what other towns have done with their problems which might relate to our own situation. They need a nudge! The state does need to provide incentives. Indeed, affordable housing is a tough issue in the state. The state needs to have more ways to help towns provide for affordable housing, e.g. infra structure, affordable land bank accounts, some matching things for developers. They (developers) need no incentives and it is hard to talk them into doing affordable housing when they can make the money they do. We have had a provision of a 50 percent bonus. We need state incentives for affordable housing it could help. Where are they going to get the money? – Town Planner 3*

*This whole issue of sprawl is much bigger than we think it is. Ultimately, the price of gas may bring about some reversals like everything else in our society fueled by cheap petroleum we can drive out into the country in our high priced car and not sweat it. Ultimately, we are not going to be able to regulate ourselves out of it. People will do what they want and if we are going to want people to live closer together in cities we are going to have to make them more attractive places in which to live. And we do not have this in Maine in many areas. It is quality of life stuff which includes physical surroundings, included how we respect other people which has gone by the board (the barking dog, the noisy neighbor) and things you get into in living in close proximity. We had not put as much focus on making the community centers more attractive places in which to live. I know there are some efforts here, Portland, Lewiston have a lot of people living there. Towns are at the end of the line and get dumped on in terms of mandates and end up footing the bill for a lot of things they did not need to do years ago. There is not much left for trails and parks. This kind of stuff does not happen very much anymore. Water access, with people paying taxes and trying to keep them low. In small towns it is hard to pay for general maintenance and there is no ability to do more. We need to think about not getting people to live in little clumps together. If we could make our communities more attractive and not so expensive and that is driving this as taxes are much higher in these areas, too! As long as that is the case we will have them flee. At least in some peoples minds with people living in the city and they like it. For small towns the answer might not be in their town but a town center a village center two towns over. Not every town has to have high quality of life village center. That is how our planning is now structured to have a village center unless you are really in the woods. Maybe this is where more of the regional planning might come in addressing where does it make sense should we have village centers and focus our energies. This contradicts what I said earlier. This is something that could be done at a regional level. Where do we have a core*

*right now or a good starting point and this might not be in every town. Some town might want to do it and this fine. This might get us over the hump of the growth/rural dichotomy which is so excruciating in so many communities. I worked in one place where there was no place for a village center or a growth area. The patterns of towns without growth center or rate as there is no water, sewer, et. Why do we need a growth district in some of these areas other than it is in the rules. If we are working at this in a regional way, then we could leave it at a region. The one size fits all is what is killing us. Making communities have a village center more livable is something you cannot address totally in a comprehensive plan as it has got to start at the state level. Are there some mandates we can check and that we can back off on so that we do not need impose on these towns from the perspective of cities? Of course this is all well intentioned with good sound reasons for doing them but they ought to be examined carefully – Planning Consultant 4*

*It is important to make sure that the comprehensive plan reviews are focused and the state incentives in the law be maintained. The state should affect what has been approved and provide incentives. State policies need to be focused on a centralized understanding of what the larger points are and that they are acting that way in the market. Overall, a state plan needs to be considered and to think through the integration of what different departments are doing. DOT comes around and rips out another bridge and coordination is not there. Outside of DOT there is not a lot of capital investment and there is not a lot of attention paid to impact of their efforts. Regional planning could help brings things together better and be a better conduit for investment. Lastly, we should avoid “dumbing down” plans but rather upgrading them so that critical issues are dealt with. In order for robust approaches to growth management to effectively compete with the real estate market, I believe that both taxation/fiscal policy and far greater regulator mechanisms than Maine is accustomed to using must be employed. Transportation policy also offers an opportunity to manage growth to occur. The cost of living or doing business must be less where we want growth to occur. And for land use forms, affordable housing, building design, whatever to be in line with a community’s vision, the political will to require the outcome will be needed. A tough one, which I do not see deployed much here in my lifetime. But often the unwillingness to limit the size of a new coastal home had to do with fiscal policy implications rather than the lack of political will. Tax base and funding formulas weigh in prominently – Director of Development 3*

*No nothing else. The tax issue is what makes town boundary lines. It is what differentiates one town from another. It is what causes towns to break apart form others too! – Town Planner 4*

*I have nothing else to add! – Member of Council of Governments 1*

*No answer – Planning Director 1*

*I do not think so as I have said enough. SPO does need to get some practicing planners and citizens planners together to brain storm on how things could be changed. If they do not come up with a good approach it is going to be just get rid of it. We do not have an administration now that would do that but it could happen very quickly. – Town Planner 5*

*Let me leave you with one thought. We need to have our state agencies represent a clear picture of where they are headed or what they think they are headed such that the communities can suggest revisions or get on board. The comprehensive planning and land use regulation and all that stuff suggests that we need to work towards standardization. If we are ever going to get to regional cooperation and possibly regional administration and cost efficiencies and if we are not going to take on the red herring which is that you give up your town's identity in favor of another town. Then you find that low hanging fruit. Look, if we all have the same ordinance for goodness sakes how many code enforcers and assessors do we need? Do we need them on an individual basis or can we buy into a cooperative service or can we cooperate together? We started to do this with land fills but the state shut them all down said you cannot have your own anymore. We have communities all over the place that learned to play together when things were down. So, that was a regulation that caused cooperation. Instead of mandating it how do we nurture this to move forward? I think that people are so irritated with the one town one comp plan and the arduous process they go through and then being denied. If we can turn it into a leadership process orientated with positive common goals and outcomes, what can we all do to get there? Change the dynamic. People are not stupid but are tired of being told what to do and not how they can work together to get something done. I think that everyone agrees on the outcome. One last comment and it scares the hell out of me and I do not know if others have mentioned it. With population migrations in Maine we are seeing that a large part of the state is going to be managed and dictated to by a small part of the state. We relegate both our senators and our representatives to population based formulas which means that large land areas with relatively few people in rural areas are going to be left underrepresented on any kind of a equally weighted basis in the legislature and policies are slowly going to gravitate to people in one part of the state that have a perception as to how people in the other part of the state should or should not live and that is going to get ugly. – Director of Development 4*

*No! – Member of Planning Commission 2*

*Maine has to get over itself and its reliance on local rule and decision making. We are one state and we share problems beyond local boundaries but too many towns lack resources and lack of political will, lack of interest and lack desire to have diverse communities, therefore, the resolution of regional problems goes unmet. Please highlight this next point: I think it will take strong directions from the state in order to meet statewide needs, it is the trickle down theory. If a level of government does not want to pay for something they trickle it down to the lower level. – Town Planner 6*